

WILLIAM CHENOWETH, 4/24/14

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

In the Matter of) Case No. MC13-08002-PCT-DGC
Petition of)
)
EL PASO NATURAL GAS)
COMPANY, LLC a Delaware)
Limited Liability)
Corporation,)
2 North Nevada Avenue)
Colorado Springs, Colorado)
80903)
)
to Perpetuate Testimony of)
WILLIAM L. CHENOWETH)

DEPOSITION OF WILLIAM L. CHENOWETH

Taken by El Paso Natural Gas

April 24, 2014

Volume I

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1	6	1	8
2	A P P E A R A N C E S	2	ALSO PRESENT: Tracy Plessinger, J
3		3	Elmer, April Gil.
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12	On Behalf of El Paso Natural Gas,	12	Videotape Deposition of WILLIAM L
13		13	CHENOWETH, taken by El Paso Natural Gas pursuant to
14	ANGELA MO, Attorney at Law, Department	14	Notice and the Federal Rules of Civil Procedure in the
15	of Justice, Environment & Natural Resources Division,	15	Mesa Room, Fairfield Inn & Suites, 225 Main St,
16	Post Office Box 7611, Washington, DC 20044-761	16	Grand Junction, Colorado, commencing at the time of:
17	202-514-1707, angela.mo@usdoj.gov,	17	a.m. on the 24th day of April, 2014, before the
18	and	18	Court Reporter and Notary Public.
19	ROBERT H. FOSTER, Attorney at Law	19	
20	Department of Justice, Environment & Natural Resources	20	
21	Division 999 18th Street, Suite 370, Denver, Colorado	21	
22	80202, 303-844-1362, Robert.Foster2@usdoj.gov,	22	
23	Environmental Enforcement Unit	23	
24		24	
25		25	
1	7	1	9
2	A P P E A R A N C E S	2	JOHN DENNIS DUNN: We're on
3		3	record.
4	CARLOS D. RONSTADT, The Law Office	4	My name is John Dennis Dunn, principal
5	Carlos D. Ronstadt, PLLC, Attorney at Law, 700 N	5	Research Services.
6	Street, Suite 120, No. 510, Phoenix, Arizona 85004-5817,	6	This is tape number 1 in volume four
7	602-799-0755, carlos@carlosronstadt.com	7	the continuing testimony of Mr. William Chenoweth
8	On Behalf of Babbitt Ranches	8	Case Number MC13-08002 from January 17th of 201
9		9	Today is April 24 of 2014. It starts
10		10	approximately 8:16, and we're on the record.
11	DAVID A. TAYLOR, Attorney at Law	11	Oh, excuse me, we should identify everybody
12	Nation Department of Justice, Post Office Box	12	here on the record. Counsel will now identify
13	Window Rock, Arizona 86515, 928-871-6347,	13	themselves for the record.
14	dtaylor@ndoj.org	14	ROBERT H. FOSTER: Robert FOSTER,
15	On Behalf of Navajo Nation;	15	Department of Justice, Denver, Colorado.
16		16	CHRISTOPHER J. NEUMANN: Christopher Neumann
17		17	with Greenberg Traurig on behalf of El Paso Natural Gas.
18	SAMIR J. ABDEINOUR, Barg Coiffin & L	18	DANIEL J. SCHNEE: Daniel S
19	Trapp, LLP, Attorney at Law, 350 California Street, 22nd	19	in-house counsel, El Paso Natural Gas.
20	Floor, San Francisco, California 94104-1435,	20	CARLOS D. RONSTADT: Carlos
21	415-228-5400, sja@ocltlaw.com,	21	Ronstadt, I co-counsel with Mike Mongioli at Babbitt
22	On Behalf of BNSF Railway.	22	Ranches, CO Bar.
23		23	ANGELA MO: Angela Moya, Assistant
24		24	of Justice.
25		25	JOHN E. EIMER: John Elmer,
			Stoller, Department of Energy.

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<p>10</p> <p>1 APRIL GIL: April Gil, Reporter of</p> <p>2 Energy.</p> <p>3 TRACEY BLESSINGER: Tracey</p> <p>4 Blessinger, Department of Energy.</p> <p>5 DAVID A. TAYLOR: David Taylor,</p> <p>6 Navajo Nation, Department of Justice.</p> <p>7 SAMIR J. ABDEINOUR: Samir Abdeinour,</p> <p>8 with Berg Coffin Lewis & Trapp on behalf of BNS</p> <p>9 Railway.</p> <p>10 JOHN DENNIS DUNN: And you</p> <p>11 the phone, please.</p> <p>12 BETTINA MUMME: Bettina Mumme, DOE.</p> <p>13 STEVEN MILLER: Steven Miller, DOE.</p> <p>14 JEFF SANDS: Jeff Sands, Dept</p> <p>15 of Justice, Environmental Enforcement Section.</p> <p>16 JOHN DENNIS DUNN: Okay, one the</p> <p>17 record, you can go ahead and ask your —</p> <p>18 MARIE RONGONE: Marie Rongone,</p> <p>19 Department of Justice.</p> <p>20 JOHN DENNIS DUNN: Okay.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>12</p> <p>1 Q. So can you tell me, do you know who</p> <p>2 Atomic Energy Commission got involved in a</p> <p>3 originally out there.</p> <p>4 A. Can you repeat that?</p> <p>5 Q. Can you tell me how the Atomic Energy</p> <p>6 how did it happen that the AEC got involved in</p> <p>7 exploration? Was there a directive from someone</p> <p>8 did you get hired to explore and somebody said</p> <p>9 A. Well, when the AEC took over from</p> <p>10 Manhattan Engineer District, the publication of</p> <p>11 atomic energy, and it was a great push to develop</p> <p>12 a nuclear arsenal. So the AEC was created all</p> <p>13 this money, and they were to find as much uranium</p> <p>14 get as much uranium processed as they could before</p> <p>15 War.</p> <p>16 Q. And when you were out there, were you</p> <p>17 else doing exploration beside the Atomic Energy</p> <p>18 Commission?</p> <p>19 A. No, just the contractors. There was a</p> <p>20 memorandum of understanding with the AEC to provide</p> <p>21 this expertise to get started with drilling and</p> <p>22 geologic studies, and all that. And eventually the AEC</p> <p>23 increased their staff and phased the USGS out</p> <p>24 everything. But, but in the beginning there were</p> <p>25 vanadium companies, like US Vanadium, a</p>
<p>11</p> <p>1 WILLIAM CHENOWETH</p> <p>2 being produced, and being first duly sworn, and</p> <p>3 and testified as follows:</p> <p>4</p> <p>5 EXAMINATION</p> <p>6 BY ROBERT H. FOSTER:</p> <p>7 Q. Good morning, Mr. Chenoweth. sure I'm</p> <p>8 you —</p> <p>9 A. Good morning.</p> <p>10 Q. — you remember most of these people from</p> <p>11 before. My name is Robert Foster, I'm with the</p> <p>12 Department of Justice out of Denver, Colorado.</p> <p>13 First of all, welcome back to your</p> <p>14 knee? I know you left for knee surgery, how are</p> <p>15 now?</p> <p>16 A. Yeah, I had it three months ago and I'm</p> <p>17 doing great.</p> <p>18 Q. Okay. Well, good to hear that. We're going</p> <p>19 to start out by asking you some questions about</p> <p>20 exploration activities that the Atomic Energy Commission</p> <p>21 did while you were there. And I'm only asking you</p> <p>22 stuff that you actually saw. I'm not asking you</p> <p>23 stuff you heard about from other people or things</p> <p>24 about in a book, or something like that? Okay</p> <p>25 A. Okay.</p>	<p>13</p> <p>1 subsidiary, and Vanadium Corporation of America</p> <p>2 were out there because they had been in the uranium</p> <p>3 business all through the forties and they were a</p> <p>4 little bid. But they really had to wait for the</p> <p>5 government incentives, and everything, to get</p> <p>6 going under the AEC program.</p> <p>7 Q. And do you know whether or not, just</p> <p>8 use as an example Vanadium Corporation, did you</p> <p>9 whether their exploration activities were done by</p> <p>10 the AEC, or were they doing it on their own?</p> <p>11 A. Oh, they were doing it on their own because</p> <p>12 they were in business, they were still subsidiaries</p> <p>13 to steel companies. And when the AEC came along</p> <p>14 going to buy the uranium and the ore, you know</p> <p>15 kept on going. But not — didn't have any other</p> <p>16 anything. The Union Carbon, or US Vanadium, were</p> <p>17 more aggressive than VCA was, in my opinion, and</p> <p>18 they were — they had their foot in the door from the</p> <p>19 Manhattan Project being a contractor. So they</p> <p>20 they were gearing up at Uranium to, to go out and</p> <p>21 for uranium as well vanadium.</p> <p>22 Q. Let's talk about Union Carbide for</p> <p>23 minute. What type of exploration activities they</p> <p>24 engage in?</p> <p>25 A. Oh, they did a little drilling, k</p>

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<p>14</p> <p>1 drilling behind their mines, and things like No 2 big effort, really. They, they were limited to 3 they participated in the Manhattan Project, they 4 limited in not picking up any private land that 5 subsidiary, Union Mines, had acquired. Anyhow 6 they were limited on where they could go to 7 of their work on the Manhattan Project. So they 8 worked mainly on their own properties and water 9 lands all over Southwestern Colorado.</p> <p>10 Q. Did they do any exploration in Nevada? 11 A. Not to — 12 Q. I'm sorry, Arizona. 13 A. No, they didn't. They, they said 14 they'd rather not deal with the Navajos. 15 Q. What about Vanadium Corporation? Did they 16 do any exploration work in Arizona? 17 A. They were there, but very little. 18 were mining in the Carrizos and over in the Navajo 19 and they did a little bit to keep finding behind 20 their mines, and so forth, but no big explorat 21 They, they seemed to want the government to 22 lead and then follow them. 23 Q. Well, whatever little work that the 24 Corporation did, did that include exploration? 25 A. Ch, yeah.</p>	<p>16</p> <p>1 A. Ch, the beginning was core holes. 2 later on they developed non-core rotary drilling 3 the seismograph companies used. Ch, I forget 4 of the core, it was NK and BX and all that. I 5 can't remember, but it would be about the size 6 silver dollar. 7 Q. Okay. 8 A. That was the core size. 9 Q. And then what happened to the core that 10 was pulled out of the hole? 11 A. Okay. Well, they put it in boxes, 12 core boxes, and the geologists would, would take 13 and make a geological log and scan it with a 14 counter. And if they found any radiometric 15 radiometric readings, they'd take those samples 16 them to Grand Junction for assaying to see 17 And — but also we were doing — the AEC was 18 down-hole radiometric probes where they would 19 detector down a hole, pull it up, make a chart 20 would tell them about where radioactivity was 21 encountered and the geologists would match the 22 core here and know where to sample, also. 23 Q. Well, what I'm trying to get at is 24 how much waste, if any, was generated by 25 drilling. Is that something that you create?</p>
<p>15</p> <p>1 Q. Can you — 2 A. Well, it might be drilling behind 3 and things like that, would be more development 4 drilling. But there were some wide space 5 know they did in the Carrizos, which would be 6 call exploration rather than development. 7 Q. What is the difference between 8 and development mining at this time when you 9 working for the AEC? 10 A. I'd say it was the drill holes. If 11 they did wide space drilling, that'd be more 12 exploration. If they were doing, you know, on 13 hundred-foot centers or thousand-foot. If they 14 in 50-foot centers behind the mine, that would 15 development drilling. 16 Q. Now — sorry. 17 A. That would be just my impression. 18 really, when the AEC took over and started 19 company just sort of sat back and waited 20 going on. 21 Q. Let's talk for a minute about AEC 22 exploration drilling. 23 A. Uh-huh. 24 Q. How big a hole would a, would a 25 an exploration drill hole be?</p>	<p>17</p> <p>1 A. Well, core drilling is, all you're 2 taking this little, long narrow piece of out of the 3 hole, and it would go back to the field camp 4 would be examined, and all that. And when 5 core hole, the core drilling I worked on Carrizos 6 and the Lukachukais — you want me to spell 7 you? 8 THE COURT REPORTER: I think 9 last time. 10 A. I did last time. Return them to the 11 geology office and then had them stacked up 12 when the project was over, we usually asked 13 Grand Junction, what shall we do? Then they'd 14 it and give the Navajos the core boxes 15 liked that lumber, or something. So the 16 weren't sampled for uranium were just dumped 17 ground, and they're still laying around 18 drill sites on Columbia Mesa, I've been told. 19 Q. So they'd return them to the AEC 20 took the core samples? 21 A. No, they'd be at, probably at the 22 offices. 23 Q. Of the — 24 A. Field camps. 25 Q. Okay.</p>

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<p>18</p> <p>1 A. The AEC had these field camps all around, all over the Colorado Plateau. I know our cores were just dumped right where the field office was, and they're probably still there out in the, out in — if the sand hasn't been dunes haven't covered them up.</p> <p>2 Q. Can you estimate, during the time you were in the, working for the AEC, is it possible to estimate the volume of this waste material left at the various field camps? Would that be —</p> <p>3 A. No.</p> <p>4 Q. — a hill the size of this world, it be —</p> <p>5 A. Well, they all — since they drilled over the Colorado Plateau and in Wyoming and S Dakota, and probably other places, too, — they just couldn't estimate, couldn't estimate the total volume. There are records, there are probably records about how much core drilling was done and how much rotary drilling was done.</p> <p>6 Q. Are there different amounts of what come out of rotary drilling —</p> <p>7 A. Ch, yeah.</p> <p>8 Q. — as opposed core drilling?</p> <p>9 A. Rotary drilling is where they're</p>	<p>20</p> <p>1 inches. It's a pile of rocks chips like that.</p> <p>2 Q. So one rotary drill hole might fill a wheelbarrow?</p> <p>3 A. No, it might fill three or four of them.</p> <p>4 Q. One hole?</p> <p>5 A. One hole. One hundred-foot hole.</p> <p>6 Q. And what about the other kind of drilling?</p> <p>7 A. Well, the core, the core, the core, the core doesn't leave any waste because you take it out of the hole.</p> <p>8 Q. Gotcha. Do you know if there's a map anywhere that shows the locations of the field camps you've referred to?</p> <p>9 A. Yes. There's no map, but in the AEC, DOE had a big reunion of all the people that worked out here, I think in 1983, maybe put together a little, Al Albrethsen, myself, Frank McGinley put together a little handout booklet that attended, and in the back we listed all the camps. And people looked at it, well, you missed this one, this one. So on my handwritten copy, you have a copy of it in your files, there are there's maybe six field camps included that were on the original list.</p> <p>10 Q. Okay.</p>
<p>19</p> <p>1 basically compressed air and a, and a triadone. And as the, as the bit bores down, the air blows out chips up, the cuttings, and they're collected in the drill and piled on little piles out on the ground. Some of my pictures you guys copied, it shows a little, little, a pile of cuttings every five feet piled on the ground for the geologist to look at. And when that was — and they, once they sawed a hole, looked in their log and found out where the radioactivity and took samples were, they took samples and all those little piles of cuttings left on the ground out there. And, and not even back in the hole, or anything.</p> <p>2 Q. Is it —</p> <p>3 A. And so there was more, there's volume of waste, that you were speaking of, of back on rotary drilling than there is in core drilling.</p> <p>4 Q. Can you estimate the amount of what would come out of one rotary drill hole?</p> <p>5 A. Ch, I know some of these drills in the Carrizos I worked on was maybe 120 feet deep, I'd say, looking at some of my old pictures, probably a hundred, every — ch, I was going to say they're four wheelbarrows full, a lot — because a four-foot sample is a pile about, about maybe 18 inches</p>	<p>21</p> <p>1 A. But all of these weren't drilling. Some of them were reconnaissance camps like the one the, the Cove School Camp, the Cove School, the Lukachukai is probably where the biggest one that I remember. And then there were smaller camps, one or two trailers for reconnaissance where they would go out and be evaluating areas for future drilling. But there is a list of camps. And I made a, if you want, well, I think for the, on the Navajo Reservation, a list of all the camps there and about what they were occupied. I can provide that, if you want.</p> <p>2 Q. If we don't already have it, I'd like to see like it.</p> <p>3 A. There's been so much of my stuff, I don't know what you have and what you don't have.</p> <p>4 Q. Well, there's going to be a whole lot of stuff that you've given us that we've obtained in actually going to show you later —</p> <p>5 A. Yeah.</p> <p>6 Q. — so it might be in there, I ask you a couple of questions, if I might, about the leasing. Well, first before, let's go back to the up exploration. I'm sorry. You were working for the Atomic Energy Commission, I believe from 1962 to 1982; is that right?</p>

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<p>22</p> <p>1 A. Well, the AEC only lasted, I think</p> <p>2 1971. Then we became ERDA.</p> <p>3 Q. ERDA.</p> <p>4 A. For two or three years, and then became</p> <p>5 the Department of Energy in 1977, maybe, is that</p> <p>6 I can't remember the date, so.</p> <p>7 Q. Okay. Well, let's talk — but you</p> <p>8 working for the federal government then —</p> <p>9 A. Yeah.</p> <p>10 Q. — from '82 — I'm sorry, from '82?</p> <p>11 A. '83.</p> <p>12 Q. '83.</p> <p>13 A. '52 to '83.</p> <p>14 Q. Okay. And during that period of time,</p> <p>15 you recall when exploration activities took place</p> <p>16 year?</p> <p>17 A. Ch, I think in —</p> <p>18 Q. What years?</p> <p>19 A. When we talk about AEC drilling projects,</p> <p>20 which were done mainly by the AEC — it was mostly</p> <p>21 the USGS, and AEC gradually took it over. Started</p> <p>22 out, I think the first drilling projects were in</p> <p>23 '49, and the last one was in '56. Because by the</p> <p>24 industry saw there was an incentive to go and find</p> <p>25 uranium, there was a price schedule. And the</p>	<p>24</p> <p>1 was a lot done around the Carrizos. And then Kerr</p> <p>2 in the Lukachukai, when AEC stopped, when AEC</p> <p>3 Kerr-McGee increased their amount of drilling in</p> <p>4 Lukachukai, so.</p> <p>5 Q. Can you think of anybody else besides</p> <p>6 Kerr-McGee who was doing exploration —</p> <p>7 A. Ch —</p> <p>8 Q. — after '56?</p> <p>9 A. Ch, yeah, in Arizona —</p> <p>10 Q. I'm done.</p> <p>11 A. Well, in Monument Valley, there were</p> <p>12 big companies; Gibraltar Minerals and Industrial</p> <p>13 Uranium Company, they — there's a syncline, the</p> <p>14 rocks on each side were dipping into this valley.</p> <p>15 There's uranium over here and uranium over there.</p> <p>16 They got out on the syncline, the Ojao syncline.</p> <p>17 Industrial found several huge deposits; at night,</p> <p>18 the Moonlight and the Firelight and the Big One.</p> <p>19 Gibraltar found the Bootjack deposit. All these</p> <p>20 deposits there in the Ojao syncline. And then,</p> <p>21 Kerr-McGee, Climax Uranium and Walter Dineen,</p> <p>22 Oklahoma oilman, they were doing drilling for AEC</p> <p>23 and in the Carrizos. Dozens of those companies</p> <p>24 drilling around. And in Cameron, of course, Metals</p> <p>25 probably was — after they took over Arco, they did</p>
<p>23</p> <p>1 industry drilling increased, that we used to look</p> <p>2 of, the AEC decided, well, we'll get out of business</p> <p>3 and let industry take over. And that was the AEC</p> <p>4 drilling projects were in '56.</p> <p>5 Q. And beginning in 1956, then exploration</p> <p>6 drilling was accomplished by private entities?</p> <p>7 A. Ch, yeah.</p> <p>8 Q. Did the AEC supervise private entities?</p> <p>9 A. No.</p> <p>10 Q. — out there?</p> <p>11 A. All we did was collect the data.</p> <p>12 collected the data every month of how many rods</p> <p>13 this company, how many feet they drilled that day.</p> <p>14 plotted in, in some of our old AEC reports, drill</p> <p>15 Books, we kept track of the drilling and show it</p> <p>16 increased year by year.</p> <p>17 Q. Okay.</p> <p>18 A. And that was a measure, that was the</p> <p>19 measures. Washington wanted to see what kinds</p> <p>20 doing, the number, the number of feet of drill</p> <p>21 done every year.</p> <p>22 Q. Were private entities doing drill</p> <p>23 Arizona, exploration drilling in Arizona after</p> <p>24 A. Ch, yeah. A lot of drilling was in</p> <p>25 Monument Valley where — well, there were there</p>	<p>25</p> <p>1 all kinds of drilling there to block out flow of</p> <p>2 As a result they got a contract with AEC to build</p> <p>3 mill at Tuba City.</p> <p>4 Q. Do you know if any private entities</p> <p>5 doing exploration drilling in New Mexico after</p> <p>6 A. Ch, yeah, once Ambrosia Lake was there</p> <p>7 went wild down there. All the big companies, like</p> <p>8 and Kerr-McGee, and Phillips Petroleum was one</p> <p>9 first ones. Anyway, no. Once, once they found</p> <p>10 the big discovery in Ambrosia Lake was made with the</p> <p>11 biggest drilling area in the, in the Four Corners</p> <p>12 Q. When private entities began drill</p> <p>13 1956, use did they both core drilling and rotary</p> <p>14 A. Ch, yeah. Core drilling is expensive.</p> <p>15 I forget, some of our AEC contracts were \$100</p> <p>16 foot. While rotary drilling, some of our rotary</p> <p>17 drilling contracts were about \$.80 a foot, once,</p> <p>18 once down-hole logging, putting an instrument</p> <p>19 pulling it up, once that was developed, the AEC</p> <p>20 really spearheaded, everybody went to rotary</p> <p>21 because it's cheaper and a lot faster than cor</p> <p>22 drilling.</p> <p>23 They always did core drilling to</p> <p>24 sample of material to see what kind of minerals it</p> <p>25 was, what kind of minerals there were, what kind of</p>

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<p>26 1 it was in, and all that. Because rotary drilling 2 much drilling, you get all these little rock 3 dust. 4 Q. Well, based, based on your personal 5 experience, can you say whether or not most of the 6 took place before 1956 or after 1956? 7 A. Oh, after 1956. And these years — 8 the AEC and ERDA, all that, up to 1983 was part of 9 down here called the Blue Book, all these states 10 And every year we'd plot the drilling. And after 11 it showed how it just picked up, and then started — 12 then beginning about 1962 it really dropped off. AEC 13 started limiting the amount of uranium they were 14 And these — and that was one of the things that 15 All our steel guys, we always collected all the drilling 16 we could from the companies because Washington didn't 17 know what the industry was doing. That measure of 18 the viability of the industry, because they were 19 there looking and finding more uranium. 20 Q. Somebody might have asked you at that 21 time, so I apologize: This Blue Book years ago 22 do you know if a copy exists anywhere today? 23 A. Oh, I think down at the DOE site in 24 the library, they probably have a complete set. 25 We started in 1971, I think, putting out the book,</p>	<p>28 1 A. Oh, yeah. 2 Q. — in the Four Corners? 3 A. Yeah. 4 Q. Where would that be? 5 A. In the Blue Book. 6 Q. So there were Blue Books before — 7 A. No, no, but they went back. 8 Q. Oh, okay. 9 A. Because when I worked — when I was in the 10 Cameron area from '57 to '61 or '62 I collected a lot of 11 drilling, and in my Cameron report I got a lot of 12 drilling, of the industry drilling years before that 13 Cameron report of mine. And in the Lukinski 14 someplace I collected drilling data on the books 15 from Kerr-McGee, mainly. 16 Q. Let's talk a little bit about the 17 information that the AEC got from exploration. This 18 would be, I guess from, what did you say, "48"? 19 A. Uh-huh. 20 Q. And by AEC, I'm including the United States 21 Geologic Society — 22 A. Oh, yeah, sure. 23 Q. — just sort of as a group was that 24 information transmitted and to whom was it given? 25 A. Well, every drilling project, had to</p>
<p>27 1 and they ended in '83. And then when, when the 2 functions down here were transferred to Energy 3 Information Administration, they started putting 4 Brown Book back in DC. But the Blue Book is 5 available. I think they even have a set at 6 Colorado Mesa University. I even have a set of 7 kept. It's getting pretty dogeared because they're 8 borrowing them. 9 Q. Okay. And did you say the first book 10 came out in 1971? 11 A. Something like that. It was after the AEC 12 program was interested and people saying, well 13 government spent all this money, what's going on 14 that. And because during the program — going on 15 years everything was very secret, and they did 16 even — the AEC in the beginning, in the 50s, they 17 even announce how much uranium was — they didn't 18 how much uranium was being produced every year, much 19 drilling was being done, but no details where it 20 was coming from, anything like that. But the books 21 were a result of industry wanting to know what was 22 going on, and congress wanted to know, and that's 23 Q. Let's talk about the period about 1956 24 and 1971. Do you know if there's a record of 25 the amount of drilling that took place —</p>	<p>29 1 write a report and these reports got put into a file, and 2 eventually a lot of it got open filed, released to 3 public. And the same with the USGS, they reported 4 and eventually that was all released to the pub 5 sooner or later, after — in the beginning, though 6 the AEC did was highly classified, you know, they 7 couldn't even hardly release anything of what they 8 doing, and all that. And even one of the drilling 9 reports on Cove Mesa has, was security information, you 10 know, stamped on it. Then it's been declassified. 11 But the drilling data, all the drill hole logs, the 12 drill hole logs from all our drilling projects 13 including USGS ones, all that data when they were 14 downsizing the office out here, that allowed USGS in 15 Denver, in the Federal Center. And they put it in a 16 warehouse, and I think they've lost it now. 17 Q. Again, focussing on that period 1949 18 until 1956, I guess what I'm trying to understand 19 supposing AEC went out and they found the hole of 20 carnotite, somehow somebody who was going to start 21 mining would get the information about the hole 22 right? How did that happen? 23 A. Well, usually when they went to drill 24 an area, they'd go to the BLM and ask for a BLM 25 Order, FIO, to withdraw that, this legal order</p>

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<p>30</p> <p>1 from the mineral entry. And they'd drilling, drill 2 in this because they didn't wouldn't anything 3 staking claims when they're drilling. Well, if 4 found — if they didn't find anything, they'd 5 BIM to restore this to the public domain, if 6 something, the AEC kept it.</p> <p>7 We still have 45 square miles, of 8 land in Southwestern Colorado, it's still held by 9 DOE, which is a result of the early drilling. 10 They've kept the land all these years and sold it 11 out to companies. And this was — every place 12 happened, except on the Navajo Reservation. So, if 13 one of the well-known Navajos, he would always 14 stake claims around where our drill rigs were 15 never found very much of it.</p> <p>16 Q. So talking now a little bit about 17 Navajo Reservation, if AEC found a deposit on 18 Navajo, who would they tell?</p> <p>19 A. Well, all our drilling data went 20 down to the Minerals Office in Window Rock. We 21 never really found a deposit, we might find a hole 22 here, one single drill hole that had a little iron in 23 it, and eventually that all would go down to W 24 Rock. And eventually somebody would lease it and 25 then stake out — get a mining permit and mine</p>	<p>32</p> <p>1 when — it wasn't, it wasn't until there was a 2 report written, and all that, before it went there. 3 Q. And what office or division is that? 4 whatever term you all used back then, at the AEC 5 Grand Junction would be responsible to transmit 6 information to Window Rock?</p> <p>7 A. I really don't know. Maybe the public 8 affairs officer. I don't know.</p> <p>9 Q. Okay. You weren't involved in that? 10 A. No, no. We know they got it because 11 eventually talking to a few down there, they'd 12 about where, where we found some ore.</p> <p>13 Q. And there'd be mines? 14 A. Yeah. We found a few mines, of the 15 little mines, I know. In the Lukies we found 16 indications that Kerr-McGee followed up down the 17 Big Mesa 2 mine, the Big Mesa 5 mine. And Wal 18 Duncan, we found an extension of the Capitol Mine.</p> <p>19 Q. Did the AEC do any mining development, to 20 your knowledge? 21 A. No. No. We did, on the Navajo we 22 did inherit a lease from the Manhattan Project on 23 Mesa, and we did a lot of drilling up there. We 24 leased that mine out to — leased that out and 25 the, got the lease. And there was a lot of mining</p>
<p>31</p> <p>1 But most of the drilling we did in 2 Lukachukais was already on a lease, Kerr-McGee 3 Climax and Duncan and haul leases. And if like o 4 drilling we did on, in the Carrizos was already 5 that already were already there. And we did, we 6 did find a little ore out in the Carrizos, so 7 Climax drilled and gave it up and I think Kerr- 8 took it over and mined it a little bit. But it 9 all those drilling projects on reservation were 10 supposed to be reported to Window Rock.</p> <p>11 Q. Okay. So — 12 A. And I don't know if it was or not 13 Q. So the way it was supposed to be reported 14 if I'm correct, the way it was supposed to be 15 until 195, USGS, or the Atomic Energy Commission 16 Navajo land — 17 A. Ch, Navajo, okay. 18 Q. — Navajo land, not leased land, take 19 the results of the exploration and just ship it 20 Window Rock and that was it? 21 A. That's the way my understanding was 22 Q. Did they ship it with instructions to open 23 a mine? 24 A. No, I don't know. I have no idea 25 was not my job. It was all up here to Grand Junction</p>	<p>33</p> <p>1 on that AEC land on that — that's the only 2 government — that's the only AEC lease we had 3 Navajo land. 4 And in 1962 it was given back to the 5 And Walter George — William George, one of the 6 miners got a mining permit and he started mining 7 after we gave it up, so. 8 I wrote a report on this for the A 9 Geological Survey, and it was released, it was 10 December about the mining history on Cove Mesa 11 Q. Do you know the name of the office 12 actually did the AEC lease? 13 A. That did the what? 14 Q. The AEC lease you just talked about 15 there a division or a section or — 16 A. Ch. We drew the land from the public 17 public land orders, and they'd been holding it 18 ever since. And it was under the Mining Division 19 old AEC Mining Division down there, and they had 20 own mine inspectors, and everybody like that to 21 govern the mining on those lease blocks and still 22 have, they still have, part of the contract down 23 down there, that runs, that manages the lease 24 program. 25 DAVID A. TAYLOR: Robert, you</p>

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<p>34</p> <p>1 excuse me for a second, I'm going to interpose 2 objection at this point, a rather belated objection 3 happened sometime. I'm going to object to question 4 that you asked relating to whether or not there 5 any mining on the Navajo Nation. I'm going to 6 the form of the question as ambiguous with respect 7 the term mining, and I'm going to move to strike 8 response.</p> <p>9 Q. Mr. Chenoweth, when I use the term mining 10 and you answer my question using the term "mining" 11 what's your understanding of the word "mining"? 12 A. That would be removing material of value 13 from the earth for a profit. 14 Q. Would the term "exploration" be a 15 form of mining? 16 A. No, that's pre-mining. You're going to find 17 something before you can mine it. 18 Q. Would — when you answered my question 19 earlier about whether the AEC did any mining on 20 Navajo, were you using that understanding of the 21 mining when you answered — 22 A. Yeah. 23 Q. — the question? 24 A. Yeah, the AEC never mined it, let alone 25 it for mining, and private industry mined it.</p>	<p>36</p> <p>1 Jackpot Mine. The overburden is all the rock 2 above the ore zone. The amount of rock above the 3 zone is commonly called the overburden. 4 Q. What about the term "waste rock," 5 used that before in this deposition? 6 A. Waste rock material is, is waste 7 because it can't be sold. Waste rock can be used 8 in it because it's low grade material. But waste 9 rock is material that is not of value. 10 Q. So if the price of uranium suddenly 11 increased, waste rock could be ore, or it could 12 be reprocessed profitably? 13 A. That's true. That already happened when 14 when the price went up in the late '70s, there 15 was a lot of re-mining of old mine dumps at 16 Uranium because they'd been throwing away a lot 17 material less than .2, and they were digging it out 18 and selling it because it was running at 50 percent 19 U3O8, so. 20 Q. I take it that's by weight? 21 A. Huh? Yeah. It wasn't valuable under the 22 old price schedule, then when the price went up in 23 the mills, well, they could go back and mine these 24 these old mine dumps, that they had a good amount of. 25 Q. Do you recall the percentage of waste rock</p>
<p>35</p> <p>1 Q. Okay. 2 A. And paid the AEC a royalty. 3 Q. I'm going to ask you some, well, some 4 words in the past, and I want to get your definition 5 them. So what's your understanding of the meaning 6 the word "ore"? 7 A. It is material that has to be sold 8 profit, if you can't sell it — if you look in 9 dictionary of mining terms, the word in the dictionary 10 has to be involved. It's, it's, it's not really 11 you can't sell it and make money off of it, I 12 according to the mining terms, mining dictionaries. 13 That's — it's well, well defined in the mining 14 dictionaries, but it's really — I think it is the 15 key thing. 16 Q. So that would mean that in mining 17 the amount of ore depends on the price for — 18 A. The value, the value of the ore. 19 Q. The value of the mineral? 20 A. Yeah. 21 Q. Okay. Are you familiar with the term 22 "overburden"? 23 A. Well, that's usually used in open 24 mining. That's when they, instead of going down 25 and drifting out, they strip a big, open pit, the</p>	<p>37</p> <p>1 U3O8 in the border of what was profitable during 2 time you were working for the federal government. 3 A. Well, the AEC price schedule, they 4 not pay for anything less than .1, .1 percent, ten 5 hundredths, but most, most mines couldn't make money 6 at that. So I think during the uranium boom, the 7 average grade was maybe .23 percent U3O8. 8 Then when the price went way up, the 9 price — in the later '70s, people were mining 10 hundredths. Down in Texas they were even making 11 because they could make money on it. So it depends 12 on the price the mills were getting from the 13 what, what the miners got. 14 Q. Gotcha. Did you ever see — you have 15 working for the federal government, did you ever 16 ever observe a mining operation? 17 A. Ch, many of them. 18 Q. In all the regions, or just in the West? 19 A. Ch, I, when I became branch chief in charge 20 of the AEC field offices, I got to go to Spokane 21 to go to Texas, to North Dakota, South Dakota, out 22 to Nevada. So I've seen a variety of mines in the 23 Western United States and Texas. 24 Q. Let's just — 25 A. Active mines.</p>

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<p>42</p> <p>1 Q. Yeah.</p> <p>2 A. Ch, lots of — in Monument Valley, I</p> <p>3 said, the big companies were VCA, Industrial</p> <p>4 Gibraltar Minerals and Climax Uranium. And the</p> <p>5 Lukachukais it was Kerr-McGee, Climax, Wenden.</p> <p>6 And down at Cameron it was Rare Metals, Hession</p> <p>7 Cameron Mining Company. And then the Carrizozo</p> <p>8 VCA and — I'm trying to think who was the next</p> <p>9 company there. Maybe, maybe Texas Mining Company</p> <p>10 something like that.</p> <p>11 Q. Okay. And at a typical uranium mine,</p> <p>12 start in Arizona on the Navajo, who would make</p> <p>13 decision about where to put the waste rock?</p> <p>14 A. Probably the mine superintendent.</p> <p>15 Q. Now, is that the same as the white</p> <p>16 supervisor?</p> <p>17 A. Ch, yeah. But on — but there were</p> <p>18 of little Navajo companies, like Paul Sack, who</p> <p>19 company after he left VCA, and William George</p> <p>20 Eugene Topahonso did. So when they had the little</p> <p>21 mining company, and a mining companies, they</p> <p>22 learned how to mine from VCA, they'd, they'd</p> <p>23 yeah.</p> <p>24 Q. Did the AEC or the Department of Energy, to</p> <p>25 your knowledge, ever tell a mining supervisor to</p>	<p>44</p> <p>1 A. No. No. Ch, state mine inspectors</p> <p>2 AEC didn't. They — AEC only had mine inspectors</p> <p>3 their own leases. But the states or the feds,</p> <p>4 Bureau of Mines leases — mine inspectors would</p> <p>5 Q. Again, from your own knowledge of the</p> <p>6 things that I was confused about from last time</p> <p>7 way things were purchased. So I'm going to ask</p> <p>8 questions about when the AEC actually purchased</p> <p>9 it purchased, and stuff like that. So if you can</p> <p>10 describe for me — well, first of all, how did</p> <p>11 sort of describe the process. Again, from your</p> <p>12 observation, by which the AEC would purchase</p> <p>13 A. Well, the most direct way they did is</p> <p>14 when they set up ore buying stations. Like when</p> <p>15 Ambrosia Lake was first found, there was a</p> <p>16 that ore down there, because Anaconda owned the</p> <p>17 was already swamped with their Jackpot ore, so</p> <p>18 put in an ore buying station in the little town</p> <p>19 Milan. And that meant they would actually</p> <p>20 purchase the ore directly from the miners, the AEC</p> <p>21 would give the miners a check, and all that — and</p> <p>22 eventually when the ore buying station closed, the AEC</p> <p>23 sold those stock piles to whoever, whoever gave</p> <p>24 them the best price, a bid.</p> <p>25 But in a mill, say in a mill, Shiprock,</p>
<p>43</p> <p>1 put waste rock?</p> <p>2 A. No. Probably only on our leases here</p> <p>3 in Colorado. Yeah, they have to on the leases, but</p> <p>4 they have to file a mining find with the feds.</p> <p>5 Q. And this is AEC?</p> <p>6 A. The AEC lease blocks here in Colorado.</p> <p>7 Q. Do you recall when the AEC lease blocks in</p> <p>8 Colorado were first mined?</p> <p>9 A. '49, probably.</p> <p>10 Q. Were there any AEC lease blocks in Arizona?</p> <p>11 A. Yeah, the Cove Mesa was an AEC lease.</p> <p>12 Q. Right. I think you said it was the</p> <p>13 the only AEC lease in Arizona?</p> <p>14 A. On the Navajo, and there were AEC leases</p> <p>15 in — there was an AEC lease in New Mexico, I</p> <p>16 at Haystack Butte.</p> <p>17 Q. Just the one?</p> <p>18 A. Just the one. One in New Mexico, and</p> <p>19 some in Utah, which were, have all gone to the BLM</p> <p>20 now. But, like I say, I think there's 45 miles</p> <p>21 of land in Southwestern Colorado still under</p> <p>22 lease by the AEC — by the DOE.</p> <p>23 Q. And if we exclude AEC or DOE land,</p> <p>24 for all other mines, did AEC ever tell a supervisor</p> <p>25 where to put waste rock?</p>	<p>45</p> <p>1 after the ore buying station closed, the miners</p> <p>2 paid by the mill by the AEC price schedule. The</p> <p>3 paid the miners, say it was three fifty a pound,</p> <p>4 was the AEC certified price, and that — that was</p> <p>5 was built in the milling contracts. The AEC paid</p> <p>6 them, the milling companies paid them based on</p> <p>7 in the contract.</p> <p>8 Q. So at the mill, the AEC would pay the</p> <p>9 milling contractor for their concentrates?</p> <p>10 A. Yeah, yeah. And the price of the</p> <p>11 concentrate was based on many facts; then the AEC</p> <p>12 schedule, this and that, the companies' assay,</p> <p>13 they always guaranteed the mining company price.</p> <p>14 Q. So if — sorry, I'm not a geologist,</p> <p>15 ore was hauled to a mill —</p> <p>16 A. Uh-huh.</p> <p>17 Q. — the mill contractor, or would pay</p> <p>18 the miners based on the assay.</p> <p>19 A. Assay.</p> <p>20 Q. And then AEC would pay for the concentrates</p> <p>21 at the end of the —</p> <p>22 A. That's true.</p> <p>23 Q. — concentration process in the mill.</p> <p>24 A. That is true.</p> <p>25 Q. But if there was an ore buying station, AEC</p>

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<p>1 would buy at the — 2 A. Directly. 3 Q. — one buying station? 4 A. That's true. 5 Q. And then what — let me first stand 6 An ore buying station, I'll tell you, I'm going just 7 a great big pile of rock in the middle of a field 8 way between a mine and a mill; is that a fair — 9 A. Well, no, it maybe — usually buying 10 stations were put in where mills eventually built. 11 Like at Shiprock there was one buying station there the 12 AEC ran for several years before Kerr-McGee took 13 over. 14 Q. What is an ore — 15 A. An ore buying station is where the ore is 16 with the ore, they weigh trucks full. They'd ore 17 and weigh it empty to get the wet tons. Then 18 there's a little lab at the ore buying station 19 the moisture content of the ore to get the dry ton 20 then they take samples, representative sample 21 load, send it up to Grand Junction to the lab to 22 get the values, and then pay the miners on the basis of 23 did that, AEC didn't, it was a contractor like 24 Pitkin or American Smelting and Refining. There 25 contractors. So checks came from the contract</p>	<p>46 1 Research Services. 2 This is the beginning of tape number 3 volume 2 of the deposition of William Chenoweth. 4 time is approximately 9:19. 5 Thank you. 6 Q. Mr. Chenoweth, we were talking before 7 break about ore buying stations, I wanted to ask 8 questions about it. Prior to the building of a 9 next to an ore buying station, just what would look 10 like, generally? If some person were driving 11 would that person see? 12 A. Oh, there'd be a scale house, and 13 Butler building, probably, where the lab was, 14 preliminary lab. There'd be piles of ore right 15 They always kept the ore separated by type, like 16 like the ore buying station down at Globe, Arizona 17 got ore from Nevada, California, Southern Arizona 18 Southern New Mexico, and so the guys in charge 19 to keep the ores separately because they knew they 20 wanted to sell the ore, the milling companies 21 want it all mixed up, they'd want — and they'd get 22 a better price by keeping that ore separated. 23 So there would be piles of ore all over 24 there, and there would be a scale house and a 25 conveyor belt that went up and then stockpiled</p>
<p>47 1 from the feds, but that's just a — 2 Q. It was federal money? 3 A. Federal money, absolutely. 4 Q. And then. 5 A. And then eventually, when the buying 6 station closed, the AEC would go out to the mining 7 company and milling company and say, well, get 8 this ore buying station here, we want to have 9 these piles of ores sorted by different kinds, or 10 how much will you buy it for? And they'd 11 get some of their money back. This is alluded to in 12 the Albrethsen McGinley Report about how the 13 was bought at each ore buying station. 14 ROBERT N. FOSTER: I'd like 15 to change the tape, I think. 16 JOHN DENNIS DUNN: The time 17 approximately, the time is approximately 9:15. This is 18 the end of tape number 1 in volume 2 of the deposition 19 of William Chenoweth. We're going off the tape 20 change tapes. 21 (A recess was taken from 9:15 22 until 9:19 a.m.) 23 JOHN DENNIS DUNN: We're on 24 record. 25 My name is John Dennis Dunn, Special</p>	<p>49 1 different stockpile. And a dump truck would pick 2 after the ore was crushed, and everything would go 3 up through the crusher and then dump into a stockpile. 4 The dump truck would take it over and dump a pile 5 where they — so, basically, it was a scale house, 6 a conveyor belt thing to dump it in a truck, and 7 ore around a Butler building. 8 Q. Okay. And when the AEC purchased 9 at an ore buying station — 10 A. Yeah. 11 Q. — what would the AEC do with the ore? 12 How would they — what was the transaction by they 13 would get it to a mill and — 14 A. That would be, after the ore buying station 15 closed, they'd go out and, and advertise to the 16 much ore. And they wanted the companies to bid 17 they'll pay per ton for it, or something so they 18 tried to get some of their money back by that. 19 Q. And — 20 A. The AEC would actually ask the companies to bid 21 on the different stockpiles. Like I know, down 22 at Globe, Kerr-McGee bid on a few of the piles 23 Homestake bid on some of the other piles, and they 24 got one of the piles. So it was — they'd bid the 25 mill would bid on a pile that they thought was</p>

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<p>50</p> <p>1 are able to their mill circuit.</p> <p>2 Q. So then if the AEC owned, and that</p> <p>3 if the AEC owned one at an ore buying station,</p> <p>4 would sell it to the mills?</p> <p>5 A. Yes.</p> <p>6 Q. And then what — the mill would take</p> <p>7 it?</p> <p>8 A. Oh, yeah, the mill would put it r</p> <p>9 through their circuit.</p> <p>10 Q. And then what did the mill do with</p> <p>11 concentrates?</p> <p>12 A. Well, they would put in drums, all 155</p> <p>13 drums and ship it here to Grand Junction, because</p> <p>14 because the, because the AEC had had certain s it</p> <p>15 couldn't have too much vanadium, too much molybdenum,</p> <p>16 too much selenium, and other things like that so</p> <p>17 they had an elaborate sampling plant down at the</p> <p>18 compound, at the site here in Grand Junction sample</p> <p>19 all of this concentrate. And if it didn't meet</p> <p>20 standards, they'd have the company come and get it. If</p> <p>21 it met the standards, AEC would pay the mill a</p> <p>22 pound for the uranium in the concentrate.</p> <p>23 Q. So is it correct then that the AEC</p> <p>24 AEC would purchase the concentrate from the mill</p> <p>25 it sold the ore to the mill?</p>	<p>52</p> <p>1 A. Well, my understanding, it's a lot</p> <p>2 very well, but it means that the site has been</p> <p>3 reclaimed, sort of to kind of remove, maybe, the</p> <p>4 evidence of mining, or something. It's a big if</p> <p>5 would say it means there's been some action to take</p> <p>6 mine site to, to restore to its original nature</p> <p>7 something like that.</p> <p>8 Q. Okay.</p> <p>9 A. I really don't — I'm not going to</p> <p>10 Q. Okay. When we're going to work on it,</p> <p>11 want to understand what it means to you, so we can</p> <p>12 communicate better.</p> <p>13 A. Yeah, some reclamation, like in the</p> <p>14 the, those Navajo mining permits, they didn't r</p> <p>15 mention reclamation, but the mining companies put a</p> <p>16 barbed wire fence around an open pit, and that's their</p> <p>17 reclamation because that was all that was done at</p> <p>18 the time. So it would go from filling in the land</p> <p>19 grading it and putting grass seed on top, putting</p> <p>20 a barbed wire fence around an open pit. 'S a lot of</p> <p>21 kinds of variations and what reclamation is, some</p> <p>22 meant over the years.</p> <p>23 Q. In the 30 years you were out there,</p> <p>24 focusing on the Four Corners region, what kind</p> <p>25 reclamation, if any, did you observe?</p>
<p>51</p> <p>1 A. Yeah.</p> <p>2 Q. Okay.</p> <p>3 A. The mill was buying that ore from</p> <p>4 stockpiles, just like they were buying it from</p> <p>5 independent miner or a mining company.</p> <p>6 Q. Gotcha. Okay. To your knowledge, the</p> <p>7 AEC ever purchase ore at a mine?</p> <p>8 A. No, not to my knowledge. It had to</p> <p>9 delivered to an ore buying station, though that's</p> <p>10 what you mean?</p> <p>11 Q. Yeah.</p> <p>12 A. Yeah. Only through an ore buying station</p> <p>13 was ore, the AEC purchased ore.</p> <p>14 Q. And during the period of time that you were</p> <p>15 observing, do you recall how many ore buying stations</p> <p>16 there were around the Four Corners area?</p> <p>17 A. Well, there were ore buying stations in</p> <p>18 Wyoming, ore buying stations in Texas and Oklahoma.</p> <p>19 This is all documented in the Albrethsen-Gardley</p> <p>20 Report.</p> <p>21 Q. Okay. Are you familiar with the</p> <p>22 "reclamation" in mining?</p> <p>23 A. Yeah, I know, yeah. Sort of.</p> <p>24 Q. Okay. And what's your understanding</p> <p>25 that term?</p>	<p>53</p> <p>1 A. During my — say up to 1983?</p> <p>2 Q. Yes.</p> <p>3 A. Very little. They had barbed wire fences</p> <p>4 around open pits, and maybe a barbed wire fence</p> <p>5 portal of an underground mine. This is Navajo.</p> <p>6 Q. Did the — in the period of that,</p> <p>7 30-year period of time that you were working for</p> <p>8 federal government, did the Atomic Energy Commission or</p> <p>9 its successors, were they involved in any way in</p> <p>10 reclamation?</p> <p>11 A. Only on the lease blocks.</p> <p>12 Q. The ones we talked about —</p> <p>13 A. Yeah.</p> <p>14 Q. — before like Cove Mesa?</p> <p>15 A. But not only — the Cove Mesa, they</p> <p>16 gave it back to the Navajos and, like I said, when</p> <p>17 resumed, probably, a month after the lease was</p> <p>18 the lease was terminated, they kept mining on the</p> <p>19 AEC never did any reclamation on, on that part</p> <p>20 lease, because mining continued on.</p> <p>21 Q. Other than —</p> <p>22 A. By private industry.</p> <p>23 Q. Other than AEC leased land, did you, to</p> <p>24 your knowledge, ever tell anybody whether or not to</p> <p>25 reclaim a mine?</p>

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<p>54</p> <p>1 A. No, not to my knowledge.</p> <p>2 Q. Did they ever encourage it on it to your knowledge?</p> <p>3 it, to your knowledge?</p> <p>4 A. No, not to my knowledge.</p> <p>5 Q. Did they have any involvement in</p> <p>6 reclamation at all, to your knowledge, one period of time that —</p> <p>7 of time that —</p> <p>8 A. No.</p> <p>9 Q. — you were out there?</p> <p>10 A. Huh-uh. Not even the uranium mil</p> <p>11 Q. Okay. I'm going to spend a little bit of</p> <p>12 time asking you about mine inspections by the federal</p> <p>13 government while you were there. Were there m</p> <p>14 inspections done by the AEC and it's — the Four</p> <p>15 Corners area?</p> <p>16 A. Was there reclamation?</p> <p>17 Q. No, no, now about inspections, mi</p> <p>18 inspections.</p> <p>19 A. Only on, only on their own blocks.</p> <p>20 Q. The AEC did not inspect except on</p> <p>21 A. AEC lease blocks, yeah.</p> <p>22 Q. — AEC lease blocks?</p> <p>23 A. Because the state had their mine</p> <p>24 inspectors, the feds had their mine inspectors</p> <p>25 tribe had their mine inspectors. And that was</p>	<p>56</p> <p>1 A. No, no, no AEC didn't do anything in the</p> <p>2 mines except on their own lease blocks.</p> <p>3 Q. Okay. During the period of time you</p> <p>4 were working for the federal government, do you</p> <p>5 whether or not the people that were doing the work in the mine</p> <p>6 meaning, I suppose, the white supervisory do you</p> <p>7 where the miners got their equipment from, I think</p> <p>8 assuming there had to be some equipment to do —</p> <p>9 A. Oh, yeah, right, Kerr-McGee would have it</p> <p>10 their mining equipment like — but some of those</p> <p>11 of the small miners, like Paul Shorty, he would it</p> <p>12 from VCA, or borrow it from VCA, or something the</p> <p>13 big companies bought their own equipment.</p> <p>14 Q. Except for land that was leased to the AEC by</p> <p>15 such as —</p> <p>16 A. Oh, no, the companies that leased it</p> <p>17 their own equipment.</p> <p>18 Q. Okay.</p> <p>19 A. Like on Cove Mesa, VCA had their</p> <p>20 equipment up there.</p> <p>21 Q. Did the AEC ever own mining equip ment</p> <p>22 the Four Corners area, to your knowledge?</p> <p>23 A. No. No, because even, even if you think</p> <p>24 contractors had their own, own equipment on 't think</p> <p>25 we owned any mining equipment, huh-uh.</p>
<p>55</p> <p>1 contention at Window Rock, is they didn't then they</p> <p>2 didn't think the state needed to inspect those things</p> <p>3 had their own.</p> <p>4 Q. So you, you're personally, noting AEC</p> <p>5 leased land, you personally never inspected a mine</p> <p>6 mine?</p> <p>7 A. Oh, I was in mines, but I didn't t t</p> <p>8 anybody what to do.</p> <p>9 Q. No, no, I mean officially as a factor</p> <p>10 work.</p> <p>11 A. Oh, yeah, I was officially known to</p> <p>12 ask Kerr-McGee, we want to make a, we want this</p> <p>13 area in your mine because the ore is very valuable.</p> <p>14 And then Kerr-McGee would say yes. So we clapped</p> <p>15 a lot of Kerr-McGee mines in the Lukachukai name</p> <p>16 VCA mines in the Carrizos. Mapped some mining</p> <p>17 Company's mines in, in the Cameron area again,</p> <p>18 that's not really inspection, that's a geology.</p> <p>19 Q. Right.</p> <p>20 A. And we never told the miners how it.</p> <p>21 Q. Did you ever inspect a mine?</p> <p>22 A. No. I've examined a lot for geology</p> <p>23 never —</p> <p>24 Q. Right, no, I meant a regular inspection</p> <p>25 I don't mean —</p>	<p>57</p> <p>1 Q. Did the AEC —</p> <p>2 A. Well, now we owned, we owned land to build</p> <p>3 because Walker-Lyberger, our prime contractor, did</p> <p>4 build, would build drill holes, runs for drill holes</p> <p>5 Lukachukais. And in the, and in the Carrizos would</p> <p>6 improve some of the horse trails to drill, holes</p> <p>7 that was only for drilling projects that were in</p> <p>8 equipment.</p> <p>9 Q. Did the AEC directly lease any min</p> <p>10 equipment, that you know of?</p> <p>11 A. No, huh-uh. Not to my knowledge.</p> <p>12 Q. At a typical mine in the Four Cor</p> <p>13 region, who would make the decision about who to hire,</p> <p>14 you know, labor things, who to hire, how long to</p> <p>15 use, what hours, whether to work weekends, kind of</p> <p>16 of things?</p> <p>17 A. That would be the companies AEC The</p> <p>18 never, never controlled any of the industry ties,</p> <p>19 like the mining.</p> <p>20 Q. Do you know, did the AEC, was the</p> <p>21 involved, do you know, in things like work in</p> <p>22 the mines, or anything like that?</p> <p>23 A. No, that would mine inspectors.</p> <p>24 Q. And that would be, did you say tribe?</p> <p>25 A. The tribe had their own mining operations</p>

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<p>58</p> <p>1 and then the feds had theirs.</p> <p>2 Q. Which mine inspectors did the feds</p> <p>3 mean, what agency?</p> <p>4 A. It would be the US Bureau of Mines</p> <p>5 MSHA — well, that wasn't — I forget what it called</p> <p>6 back then. NIOSH, or something.</p> <p>7 Q. And —</p> <p>8 A. And it was the Bureau of Mines out</p> <p>9 Denver that had the federal mine — that about</p> <p>10 the mine inspectors on the reservation.</p> <p>11 Q. Did you ever see a Bureau of Mine</p> <p>12 inspector on the reservation?</p> <p>13 A. Ch, yeah. In the Lukachukia area</p> <p>14 there once.</p> <p>15 Q. Do you recall seeing a Bureau of</p> <p>16 Mines inspector more than once?</p> <p>17 A. No, not really. I'd seen the tri</p> <p>18 inspectors more than that, because — in a</p> <p>19 our AEC camps, we let the tribal inspectors</p> <p>20 camp so he didn't have to go back to Shiprock</p> <p>21 he was working out in the —</p> <p>22 Q. And the Bureau of Mines inspector</p> <p>23 saw, did you see what he or she was doing?</p> <p>24 A. He. No, it would have been, in th</p> <p>25 probably '56, something like that.</p>	<p>60</p> <p>1 made a big announcement November 24, 1958 that</p> <p>2 only buy uranium concentrate, beginning in 1962</p> <p>3 uranium ore that was discovered prior to 1962</p> <p>4 24, 1958. And that was a big program for us, it</p> <p>5 busy because we all thought we were going to</p> <p>6 off, because we had to go out and meet with the</p> <p>7 operator and determine the ore reserves that, what</p> <p>8 would qualify in the November 24 announcement</p> <p>9 little area I was responsible for in Arizona, it</p> <p>10 four years to do that.</p> <p>11 So we had industry liaison, and</p> <p>12 reserve work. And after, really after — there</p> <p>13 was a gap in there we did, seemed like working</p> <p>14 production capability studies that — after we</p> <p>15 drilling, we were following the industry, but they</p> <p>16 were continuing to do things, and all that the</p> <p>17 big, the big thing we got all involved with was a</p> <p>18 November 24 survey.</p> <p>19 Q. Okay, I am — did the AEC, the</p> <p>20 AEC leased lands, did the AEC review mining pl</p> <p>21 A. No.</p> <p>22 Q. Approve mining plans?</p> <p>23 A. No, huh-uh.</p> <p>24 Q. Did the AEC manage mining company</p> <p>25 personnel?</p>
<p>59</p> <p>1 Q. You just saw him —</p> <p>2 A. Once. Leaving, I think they were</p> <p>3 leaving as we got to the mine, or something. N</p> <p>4 really saw them working. In the mine.</p> <p>5 Q. Did, while you were working for the</p> <p>6 government, did AEC have any policies, that you</p> <p>7 that described how to mine?</p> <p>8 A. No.</p> <p>9 Q. Any policies or guidance, or anything</p> <p>10 where to dispose of waste rock?</p> <p>11 A. No. Maybe — mainly only desert</p> <p>12 blocks.</p> <p>13 Q. Only on your lease blocks?</p> <p>14 A. Only on the lease blocks, because</p> <p>15 Q. Except on the lease blocks, did AEC</p> <p>16 have any manuals or procedures or policies for</p> <p>17 separate waste rock from ore?</p> <p>18 A. No.</p> <p>19 Q. Or where to place overburden?</p> <p>20 A. No, huh-uh.</p> <p>21 Q. Once a mine had — once you were</p> <p>22 meaning the federal government, AEC was</p> <p>23 what role did the AEC have, other than paying and</p> <p>24 doing assays, in the Four Corners area?</p> <p>25 A. Ch, well, after the AEC project</p>	<p>61</p> <p>1 A. No.</p> <p>2 Q. Or supervise personnel?</p> <p>3 A. No.</p> <p>4 Q. Not in any way?</p> <p>5 A. No, huh-uh.</p> <p>6 Q. Did the AEC supply any equipment for</p> <p>7 any of the uranium mining sites?</p> <p>8 A. No. We didn't have any. I think we,</p> <p>9 after we got through with the drilling — really, I</p> <p>10 think we sold off all of the bulldozers, rollers</p> <p>11 and all dump trucks.</p> <p>12 Q. But these bulldozers and scrapers</p> <p>13 trucks, were they used for mining?</p> <p>14 A. No, they were used for drilling</p> <p>15 and the ore buying stations. All that equipment</p> <p>16 sold at probably auction afterwards. We were n</p> <p>17 never leased it to anybody. That I remember.</p> <p>18 Q. Now, the last time you testified —</p> <p>19 A. Ch, ch.</p> <p>20 Q. No, it's okay. — the AEC assist</p> <p>21 road building —</p> <p>22 A. Yeah.</p> <p>23 Q. — do you recall that?</p> <p>24 A. Mainly for drill hole road.</p> <p>25 Q. Ch. Not for ore hauling?</p>

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<p>62</p> <p>1 A. Well, we had an access road improved 2 we would work with the Bureau of Public Roads to the BIA 3 and improve existing roads to mines to help they 4 trucks into the mills. Like I know on the there 5 we improved the road from, from Shiprock Nativity 6 Water, over Comb Ridge down to the VCA Nativity 7 and then north into the Mexican Hat Bridge. 8 And then also we improved the road 9 Rock up to Oak Springs. These were existing roads 10 and I think we paid the BIA to improve them, o 11 something. Anyway, we had this access road pr 12 And it was all over, all over the Four Corners well 13 as South Dakota and Wyoming, I believe. Now i 14 Mexico we improved the road from Blue Water up 15 Haystack Butte, and from Laguna up to Jim 16 improved — and this was really to improve the 17 get the, mainly for hauling ore from the trucks 18 mills. But most of the, most of the build, ro 19 building was building drill hole sites. 20 Q. And the road building, is this 21 that AEC did, or did you — or did the AEC 22 A. They, they, they kind of worked w 23 another agency. I know there's a big reported 24 someplace, and I've never been able to find it 25 ever been able to find it. But only, I think</p>	<p>64</p> <p>1 Water up to Haystack Butte, I don't — it might 2 been Anaconda, I don't know. 3 Q. Just give me a second here, please. 4 Have you ever heard of a mine called the San Mateo 5 A. Yes. 6 Q. Have you ever visited it? 7 A. No. 8 Q. How did you hear about it? 9 A. Well, I lived in Grants for years 10 even though I was working in Arizona, and it was 11 a mine, really, in the eastern edge of the San Mateo 12 district. And it was a Rare Metals mine go 13 later, going up to the Lee Ranch, where there 14 deep drilling up by San Mateo, I know I went 15 times. 16 And when I was doing some work for 17 Mexico Bureau of Mines, we were plotting we 18 plotting shack locations, and all this, big 19 map of Ambrosia Lake. And that's where it 20 where it, legally where it was. And then a 21 little summary that the AEC had written about 22 that difficulty they had sinking the shaft. 23 Q. When you were working for the half 24 government, did any of your duties involve San Mateo 25 Mine?</p>
<p>63</p> <p>1 Arizona report I've ever found, and they talk 2 they improved roads down in Gila County, and they 3 worked with the Forest Service there. And they 4 with the BIA on the reservation. And in 5 heard they worked with the Bureau of Public Roads 6 them some money to build a new bridge down 7 and things like that. It's, it's sort of access 8 road program is sort of summarized in the report 9 Q. Right. 10 A. That's the most, the best summary 11 many miles and how many dollars they spent. 12 Q. On the access road program any 13 it came to be that a particular road would 14 In other words, somebody goes to the AEC 15 we want this road improved, or did the AEC 16 and, say, hey, this road needs improvement or 17 A. I really don't know. 18 Q. It just happened, as far as you 19 A. Yeah. Somebody made a decision 20 we're going to improve the road from Shiprock 21 Monument 2 Mine. And maybe it's VCA, I don't 22 Q. But it wasn't you? 23 A. Oh, no. I don't know who did it. 24 Q. Okay. 25 A. Or, or who improved the road from</p>	<p>65</p> <p>1 A. No. 2 Q. How come? 3 A. Because I was — when they closed 4 Flagstaff office and move me to Grants, I 5 assigned to monitor the industry over in Arizona 6 got very little involvement with the mines around 7 Grants, the Ambrosia Lake, except gotten with 8 and visited a few of them to see what they were 9 Q. While you were working, at any 10 you ever drafted a report involving the San Mateo 11 A. No. Yeah, I think — I took 12 When I was with the — after I left DOE, worked 13 for the New Mexico Bureau of Mines as secret 14 was it called, a research assistant. And we 15 putting together this big map of Ambrosia of 16 mines from Gallup over to Laguna. And the 17 we were putting together was a table showing 18 production of all the mines in the Grants area 19 helped compile that using AEC data. And every 20 compiled some data on San Mateo in that report 21 don't remember it. 22 Q. Do you know who owns the land in 23 Mateo — 24 A. No. 25 Q. — sits on?</p>

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<p>66</p> <p>1 A. Maybe the Forest Service does use it, but I don't know.</p> <p>2 it's on the edge of Mount Taylor there. I don't know.</p> <p>3 Q. Okay. In the course of your work with the federal government, did you ever interact with the Forest Service or Department of Agriculture?</p> <p>4 A. Professionally, I don't mean did you ever visit the National Forest.</p> <p>5 A. No, huh-uh.</p> <p>6 Q. Just from your own knowledge, you know who bought the uranium ore from the San Mateo Mine?</p> <p>7 A. No.</p> <p>8 Q. Or which mill it was processed at?</p> <p>9 A. I don't know if it went to the Homestake or even if the Phillips Mill or the Phillips mill was operating then. I don't know.</p> <p>10 Q. Do you know if the federal government like the Atomic Energy Commission, ever purchased ore from the San Mateo Mine?</p> <p>11 A. You mean at an ore buying station?</p> <p>12 Q. Yeah.</p> <p>13 A. I doubt it, because it was one of the first stations there at Milan closed, it was the Homestake Mill and the Kerr-McGee Mill got, they closed, the ore buying station closed, and it closed.</p>	<p>68</p> <p>1 Blue Water up to Haystack Butte, and then around Laguna up to Jackpot Mine. They didn't drill any toward San Mateo. According to what I read.</p> <p>2 Q. Were you ever involved in any way from the San Mateo Mine?</p> <p>3 A. No.</p> <p>4 Q. Do you know anybody who was?</p> <p>5 A. No. I'm sure, I'm sure, because it was a new discovery, they might have sent samples to the AEC pilot plant, the research and development facility to learn more about the ore. But that's beyond my scope of work.</p> <p>6 Q. And when you say sent it here, you sent to Grand Junction?</p> <p>7 A. Yeah. The, the AEC ran a pilot operation, this was a research and development to — when a new discovery was made, they'd have the company determine what type of milling they should have, and all that, and what kind of furnace. And it was, it was — so every new discovery when the Dysart Mine was found, they sent for it to have it — that was the original discovery at Ambrosia Lake to have it worked on. And then of the deeper mines in Eastern Ambrosia Lake, they sent the ore up here to have it worked on.</p>
<p>67</p> <p>1 remember the year, but I think it was probably the San Mateo going. Because they had, if I remember a report on the San Mateo Mine, they had difficulty sinking that shaft.</p> <p>2 Q. Do you know when the San Mateo Mine went into production?</p> <p>3 A. No.</p> <p>4 Q. Do you know if it went into production while you were working for the federal government?</p> <p>5 A. Ch, yeah, it did produce during the AEC program, I'm not sure it's —</p> <p>6 Q. Do you know if the AEC ever paid for that mine?</p> <p>7 A. I, I — you mean the Circumference?</p> <p>8 Q. Yeah.</p> <p>9 A. I — it was a brand new discovery, I don't — but if I remember right, Circumference was in 1962. And I don't know, I don't know what went into production.</p> <p>10 Q. Okay. If I asked you this, I'm sorry. Do you know if AEC ever built any access to or from the San Mateo Mine?</p> <p>11 A. No. From what I read briefly, the access road program in New Mexico, it was the first</p>	<p>69</p> <p>1 that as part of the AEC's job, to help the growth of the industry.</p> <p>2 Q. You used the term "milling circuit" and just now. What do you mean by the phrase "milling circuit"?</p> <p>3 A. Well, it was basically — each is a little different than the other mill, but the type of ore they're processing. And so you have a circuit where they use alkaline leached, leached carbonate material, leaching. And they have a circuit where they use sulfuric acid and the ore to get the uranium out, depending on the type. So basically you have acid leaching and carbon leaching. And the Homestake Mill was carbon leaching. And the Kerr-McGee Mill was acid. So, you know, depending on the type of ore, where the ore would go.</p> <p>4 Q. Do you know whether or not the AEC did any exploration drilling at or around the San Mateo Mine?</p> <p>5 A. No, the, the only, the only thing that the AEC did in the Grants area was around Haystack and Poison Canyon. They drilled around Poison Canyon about 1953, or something like that.</p> <p>6 Q. Do you know — can you describe, generally, what involvement, if any, the AEC had around the</p>

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<p>70</p> <p>1 San Mateo Mine?</p> <p>2 A. No. Don't know. I really don't k</p> <p>3 Q. Okay.</p> <p>4 A. I don't know if they applied for t</p> <p>5 Circular 6 bonus or not. Because if they the AEC</p> <p>6 would have to go out and validate the ownership</p> <p>7 the — when the first ore was shipped, and like</p> <p>8 that. But I don't know if it was ever, established</p> <p>9 for the bonus.</p> <p>10 Q. Was the San Mateo Mine in the fore</p> <p>11 responsibility for the Grand Junction office —</p> <p>12 A. Ch, sure.</p> <p>13 Q. — of the AEC?</p> <p>14 A. Yeah. Yeah, it was in part of the</p> <p>15 Ambrosia Lake District.</p> <p>16 Q. Do you know whether or not the person</p> <p>17 visited the San Mateo Mine?</p> <p>18 A. Ch, I'm sure they did, just how they</p> <p>19 were mining, what the ore looked like, and that</p> <p>20 that would be people in the Grants office, but</p> <p>21 myself.</p> <p>22 Q. Do you know what years the office</p> <p>23 existed?</p> <p>24 A. Well, they established a Grants office</p> <p>25 down there right after the first ore was found</p>	<p>72</p> <p>1 A. Can't remember. Maybe —</p> <p>2 Q. Stumped him.</p> <p>3 A. A few years ago we were having a f</p> <p>4 trip, and we took a lot of people into the open pit</p> <p>5 down in Paradox Valley on the AEC lease to show</p> <p>6 them, show them a big open pit uranium mine that</p> <p>7 was a JD5 shaft there. We showed them the shaft, how</p> <p>8 skip was and the ore bins and all that. So in a,</p> <p>9 I was in a uranium open pit mine. Ch, I think 2012,</p> <p>10 that's when it was.</p> <p>11 Q. Do you know whether or not the Forest</p> <p>12 Service ever mined at San Mateo?</p> <p>13 A. The Forest Service had anything? No,</p> <p>14 I don't know of anything. I really don't know</p> <p>15 about San Mateo. The only thing I know about</p> <p>16 is a mining engineer at Grants named Mr. I. G. M.</p> <p>17 Gay — that was his name, Ingles M. Gay. Well, way</p> <p>18 back. He wrote a, he wrote a one-page San Mateo</p> <p>19 Mine, and that's the only thing I really know</p> <p>20 Q. I take it you've never written —</p> <p>21 A. No.</p> <p>22 Q. Am I correct —</p> <p>23 A. No.</p> <p>24 Q. — you've written —</p> <p>25 A. Never. Don't know anything about</p>
<p>71</p> <p>1 it was a brand new area and brand — and it was</p> <p>2 in Grants, then they moved to Milan. And then</p> <p>3 closed that office and moved the people to the</p> <p>4 And I'm trying to think. I'd say — the AEC field</p> <p>5 office in Grants from 1952 through 1971, this is</p> <p>6 like that.</p> <p>7 Q. And then they closed it?</p> <p>8 A. They closed it and moved it into</p> <p>9 Albuquerque.</p> <p>10 Q. Do you know if there's an office</p> <p>11 today?</p> <p>12 A. No. The AEC kept shrinking, just</p> <p>13 shrinking and the Albuquerque office was about</p> <p>14 1980, I think.</p> <p>15 Q. And then where did that —</p> <p>16 A. Everything — up here.</p> <p>17 Q. To Grand Junction?</p> <p>18 A. Yeah, Grand Junction. Casper, off</p> <p>19 Spokane office, the Austin, Texas office, all</p> <p>20 shrunk down into here, eventually.</p> <p>21 Q. When was the last time you visited</p> <p>22 a uranium mine?</p> <p>23 A. When I went — huh?</p> <p>24 Q. When was the last time you visited</p> <p>25 a uranium mine?</p>	<p>73</p> <p>1 know where it is on a map.</p> <p>2 Q. I've got a bunch of documents, like</p> <p>3 everybody else here, so I guess now is as good as</p> <p>4 any to torture you. Just for the records I have</p> <p>5 binders of documents that we're going to go through</p> <p>6 and going through quickly, just to get them with</p> <p>7 identify them, if he can, and to authenticate where</p> <p>8 he can do that. My understanding is most of all,</p> <p>9 of these documents come from Mr. Chenoweth, and</p> <p>10 should be fairly painless and quick.</p> <p>11 A. Okay.</p> <p>12 Q. Relatively speaking. My understanding is</p> <p>13 that counsel for El Paso organized a series of</p> <p>14 binders. I have four sets with me so I'll bring at</p> <p>15 one site, I'll give one set to the witness, I've</p> <p>16 other sets to distribute, so whoever wants that</p> <p>17 would be Mr. Taylor. And does counsel have a</p> <p>18 one?</p> <p>19 CARLOS D. RONSZTADT: a little bit</p> <p>20 nobody else wants it.</p> <p>21 ROBERT H. FOSTER: Of course, I'm</p> <p>22 Pacific — I mean ENSF. Boy, that was a bad o</p> <p>23 CARLOS D. RONSZTADT: Right, I</p> <p>24 was going to say is the Navajo Nation is going to</p> <p>25 right?</p>

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<p>74</p> <p>1 ROBERT H. FOSTER: Yes.</p> <p>2 CARLOS D. FOSTADT: Somehow,</p> <p>3 if I need to, off of either El Paso or Navajo. N</p> <p>4 ROBERT H. FOSTER: Well, less that</p> <p>5 may be —</p> <p>6 CARLOS D. FOSTADT: In the</p> <p>7 real question in my mind is who has the grants</p> <p>8 All I care about is the Cameron area. Some that</p> <p>9 there's documents in there that pertain to care</p> <p>10 somehow I'll figure that out. And I'm sure you go</p> <p>11 through all your documents you will tell something</p> <p>12 involves Cameron, like right now.</p> <p>13 ROBERT H. FOSTER: We off the</p> <p>14 record here for a second while I fool around w</p> <p>15 binders.</p> <p>16 JOHN DENNIS DUNN: The time</p> <p>17 approximately 9:53 and we're off the record.</p> <p>18 (A recess was taken from 9:53</p> <p>19 until 10:17 a.m.)</p> <p>20 (Exhibits 130 through 160 for</p> <p>21 identification.)</p> <p>22 JOHN DENNIS DUNN: The time</p> <p>23 approximately 10:17 and we're on the record.</p> <p>24 Q. Thank you. Mr. Chenoweth, relocated</p> <p>25 before our break, I have provided you with binders</p>	<p>76</p> <p>1 A. This was — Jeff Tact, the relocated</p> <p>2 for the contractor at the Grand Junction was asked</p> <p>3 to prepare a list of contractors from the site</p> <p>4 and he knew I worked for Walker-Ly barger, and</p> <p>5 so he — anyway, this is a joint effort if I</p> <p>6 prepared for a request from somebody. And it's</p> <p>7 appendix to another document, that I don't have</p> <p>8 about the Grand Junction site down here. something</p> <p>9 that — this doesn't even have a date on it. Stoller</p> <p>10 was, Stoller was still the contractor, so.</p> <p>11 Q. To your, to your knowledge, is it a th</p> <p>12 complete list of the prime contractors for the</p> <p>13 Department of Energy in Grand Junction?</p> <p>14 A. Yeah, starting way back when Manhattan</p> <p>15 Corporation of America was running the site</p> <p>16 for the Manhattan Project. But it says to the M.</p> <p>17 Stoller Corporation, July 22, 2002 to that present. I</p> <p>18 don't know when the present was. But this was</p> <p>19 several years ago.</p> <p>20 Q. To your knowledge, is it complete</p> <p>21 least, as of 2002, which is when Stoller started</p> <p>22 this, began?</p> <p>23 A. Yeah, uh-huh.</p> <p>24 Q. Let's turn to Exhibit 131, please</p> <p>25 A. Okay.</p>
<p>75</p> <p>1 of material, and I'm just going to say that my</p> <p>2 understanding is that this material was actuall</p> <p>3 provided by you to the United States, but into</p> <p>4 ask you about individual documents. You will in</p> <p>5 the binders each document begins with a tab. T</p> <p>6 tabs — at the very beginning, actually, there's</p> <p>7 index in the first binder that runs through the</p> <p>8 start at number 130, and the tab number, and the</p> <p>9 number should match the exhibit number. There</p> <p>10 sticker in the lower, right-hand corner of the</p> <p>11 page. I'll also note that most of these were copied</p> <p>12 copies, and I'm just going to ask you about the</p> <p>13 let's begin with Exhibit 130. Exhibit 130 before</p> <p>14 record, bears Bates Numbers BC 506 through 509 BC have</p> <p>15 you seen Exhibit 130 before?</p> <p>16 A. Yes.</p> <p>17 Q. Can you tell us what it is? please</p> <p>18 A. This is a list of the prime contractors</p> <p>19 the Grand Junction site from the very beginning</p> <p>20 day this was written. This is — okay, it's</p> <p>21 present.</p> <p>22 Q. You know, it says Appendix A about, do</p> <p>23 you —</p> <p>24 A. Yeah.</p> <p>25 Q. — what it's Appendix A to?</p>	<p>77</p> <p>1 Q. Exhibit 131, I think, is BC 1044 BC</p> <p>2 1073. Do you recognize this? I'll note there's</p> <p>3 hand writing stuff at the back as well.</p> <p>4 A. Yeah, this is —</p> <p>5 Q. What is this?</p> <p>6 A. Well, the New Mexico Geological Society</p> <p>7 was, and the Arizona Geological Association going</p> <p>8 to have a field trip down old Highway 66 from staff</p> <p>9 to Grants, and my friends in New Mexico said that I</p> <p>10 had written a paper — they knew about uranium in</p> <p>11 the area of Holbrook, and they said, well got the right</p> <p>12 by it, and just for the history, can you prepare</p> <p>13 something for the guidebook on the little of uranium</p> <p>14 mining that was down there at Holbrook, which</p> <p>15 within the Petrified Forest National Park, I we</p> <p>16 got some old notes, field notes, and all that, I'll</p> <p>17 do that.</p> <p>18 And this is, this is a draft of this</p> <p>19 is — I don't know what all the stuff on the side</p> <p>20 is. Oh, ho, ho, ho, ho, ho. This is — this was</p> <p>21 my galley proof of the article that got published</p> <p>22 all this stuff on the back was some — this is no</p> <p>23 with this report. I think I ran out of paper</p> <p>24 printer when I was printing out this draft and</p> <p>25 some old sheets, an old newsletter. This is is a</p>

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<p>78</p> <p>1 newsletter about what was going on by a company 2 Wyoming, in Casper. Yeah. Because — yeah, he 3 here's a reference — yeah. And then it says R 4 Mountain Scout, November/December, 2012 activity 5 that was just some scratch paper I printed, it o 6 because I didn't have any good paper, to redo this 7 galley proof. 8 Q. Okay. And I take it, for example 9 BC 1065. 10 A. 1065? 11 Q. Yeah. 12 A. I got 17 — hold on. 13 Q. Do you see that? 14 A. Ch, my God. 15 Q. I take it the dog is not part of 16 report? 17 A. No, that's — ch, that's when I showed 18 me, sent me a picture of their new dog. 19 Q. I just wanted to confirm that. 20 A. Yeah. And this, and this — yeah, 21 because here's the cover sheet of the Rocky Mo 22 Scout, that was a company up in Wyoming that put 23 out a monthly newsletter on what was happening 24 uranium business. And, anyway, I had and pressed 25 some paper to print this out for galley proof and I</p>	<p>80</p> <p>1 looking to where it says Chenoweth in — 2 A. Yeah. 3 Q. — the upper right-hand corner? 4 A. Right, yeah. Yeah. And you'll see 5 see, it should be on the last table on page 11, 6 on page 64, that's the last page, Chenoweth 11. 7 Q. Do you know what these notes are 8 on page 1060, let's say 66 or 67? 9 A. 66, that's some note about reference 10 somehow got stuck in with the galley proof that's 11 another reference. These were old cards on had 12 references. Yeah, these are, these are I had when 13 I had, when I had my, finally had my paper don 14 professionally by a word processor, that is, I had 15 to copy from. These, some of these references I 16 use because I, I, I wanted to keep it concise, some 17 of these are — anyway. 18 Q. Is this document, which is Exhibit 131, is 19 that something that you supplied from year to the 20 United States? 21 A. This, this one was a — yeah, this 22 galley proof I had. Now I've got a hard copy that 23 was published, but this is the galley proof that 24 worked on to, prior to publication. 25 Q. No, I mean this particular one, Exhibit</p>
<p>79</p> <p>1 used all that junk. 2 Q. Okay. So much for Sophie the dog. 3 A. Yeah. Right. 4 Q. Then which part of this is actual 5 draft that you were referring to? Which part o 6 exhibit is the — 7 A. From the, from the very first page 8 64. And then this — and these were some notes 9 know these, these were some references I didn't 10 didn't — wanted to check, or something. 11 Q. That's page 66? 12 A. This is the galley proof of this, this 13 which is, goes from — you see there's all kinds 14 corrections, and all that, I made. From page 15 66 — no, through 60 — excuse me. Through the 16 galley proof of what was published last year. 17 Q. Do I understand correctly that that's 18 on the front sides of these pages? And then, re 19 just want to have clear record. I think, again, 20 if you look in the upper, right-hand corner of 21 1046. 22 A. 46? 23 Q. Yeah. You will see it says with the 24 A. Yeah. 25 Q. So could we follow the galley proof just</p>	<p>81</p> <p>1 you give it to the United States like in the year 2 as part of your deposition, or part of something 3 A. There is something I had in my when 4 Chris was looking through my files. 5 Q. Okay. And — 6 A. It really doesn't apply, except to the 7 little area of Cameron, which is, was just a small 8 thing they wanted me to do, because I had that 9 area. 10 Q. Do you recall whether the galley was 11 11 pages plus an abstract? 12 A. Yeah, this was, this was part of this 13 abstract here is still part of that whole report 14 is, this is page 1, really. It goes from galley 15 proofing to introduction, and all that, but. 16 Q. So Exhibit 131 is complete, it's got 17 some extra stuff in the — 18 A. Yeah, it's got some extra stuff in 19 back, it was probably in file folder with the 20 Q. Okay. Let's look at 132. Recognize 21 132? 22 A. Ch, yeah, this is — 23 Q. For the record, that's Exhibit 1074C 24 through 1104. 25 A. Yeah.</p>

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<p>1 Q. What is this?</p> <p>2 A. This is, this has to do with when</p> <p>3 compiling information for the Justice Department</p> <p>4 Radiation Exposure Compensation Program, I believe</p> <p>5 the AEC records only showed the controller. The</p> <p>6 controller is a person that got paid for the mine</p> <p>7 not the company that mined. And when they got the</p> <p>8 claims in from mining contractors, they had records.</p> <p>9 So they said, go through all your records, make a</p> <p>10 state records and make us a list of mining contractors.</p> <p>11 So this is, this whole document is compiled, piled</p> <p>12 by many sources on mining contractors for the</p> <p>13 Department's RECA program.</p> <p>14 Q. And is this something that came out of</p> <p>15 files recently?</p> <p>16 A. Oh, I had it in my files — yeah, was</p> <p>17 done in, the beginning of RECA program, I believe</p> <p>18 in 1992, or something like that.</p> <p>19 Q. But did you supply a copy to anybody</p> <p>20 recently who was —</p> <p>21 A. No, no, it was in my files.</p> <p>22 Q. Right. So somebody went through and</p> <p>23 pulled —</p> <p>24 A. Right.</p> <p>25 Q. — it out recently? Would it be then</p>	<p>82</p> <p>1 Q. Is that, for example, page 100, that</p> <p>2 what you're talking about?</p> <p>3 A. 84, yeah. I don't know why it was to</p> <p>4 anything, except line number so and so, the the</p> <p>5 years — It must, it must have been something DOJ</p> <p>6 sent me with a name of a company and the and they</p> <p>7 wanted to know how the — the years or something</p> <p>8 this a —</p> <p>9 Q. This relates to the RECA program?</p> <p>10 A. Yeah, this is all RECA program, all</p> <p>11 this is RECA program stuff. A lot of this, of</p> <p>12 this the Justice typed up and put in their file</p> <p>13 ROBERT H. FOSTER: Okay, just want</p> <p>14 to note for the record that the RECA information</p> <p>15 be sensitive and might be subject to some of the</p> <p>16 confidentiality. And so for now I would like to</p> <p>17 that's resolved, that this not be distributed</p> <p>18 widely than in this room. And I'll look into</p> <p>19 CHRISTOPHER J. NEUMANN: And</p> <p>20 THE WITNESS: Yeah, this, yeah,</p> <p>21 Union Carbide Nuclear gave me, for the RECA, all</p> <p>22 a list of their contractors, and I made notes of</p> <p>23 what county they operated in, and all that that's,</p> <p>24 that's what's on this last set of pages.</p> <p>25 CHRISTOPHER J. NEUMANN: I see,</p>
<p>83</p> <p>1 Mr. Neumann and somebody —</p> <p>2 A. It was Mr. Neumann and — they went</p> <p>3 look at all my stuff in my book case, and it was</p> <p>4 miscellaneous.</p> <p>5 Q. All right.</p> <p>6 A. But it is a good record of what was</p> <p>7 doing the mining in different mines around Ariz</p> <p>8 the time, because New Mexico's — and then there's</p> <p>9 a date in here, I see a document from Union Carbide</p> <p>10 their mining contractors that I got from Union Carbide.</p> <p>11 A lot of this was field notes I got from my oh</p> <p>12 goodness, what's all this?</p> <p>13 Q. I was going to ask you that question.</p> <p>14 A. I don't understand what all that is, but</p> <p>15 it was in the file so they were probably calling</p> <p>16 contractors.</p> <p>17 Q. But this is from your files?</p> <p>18 A. Yeah. I don't know what these are</p> <p>19 Q. By these numbers, what page were you</p> <p>20 at?</p> <p>21 A. Oh, the numbers that start with — they</p> <p>22 had a list, somebody had a list of mining contractors</p> <p>23 and they wanted to know the years, and so to go</p> <p>24 through and add the years, and all this stuff. I</p> <p>25 don't know —</p>	<p>84</p> <p>1 this is Chris Neumann, I believe did have it with</p> <p>2 someone at the DOJ, and I'll try find that.</p> <p>3 ROBERT N. FOSTER: Okay, you</p> <p>4 very much.</p> <p>5 Q. If you would turn to Exhibit 133.</p> <p>6 For the record, that's numbers 1105 through 1121</p> <p>7 can you tell me what Exhibit 133 is?</p> <p>8 A. Well, the Department of Labor, when</p> <p>9 they started a program to compile information on</p> <p>10 mines, and they borrowed a lot of stuff, and</p> <p>11 these are AEC maps on page 05, these are AEC and</p> <p>12 that's — I put a number on them when they borrow</p> <p>13 them, or they — anyway, this, this is an index of</p> <p>14 Labor index number, and I don't know what it is</p> <p>15 I don't understand all this next page, either right.</p> <p>16 I've forgotten — here's a list of all the</p> <p>17 Oh, I put — these abbreviations, I think these</p> <p>18 locations for the, for the Labor Department, boy.</p> <p>19 Yeah, this is all stuff that I did for the Lab</p> <p>20 Department when they were borrowing maps of the</p> <p>21 Department of Labor, '09 something, anyway, mark</p> <p>22 The WC number is my number, and then they had</p> <p>23 number for their file, for same reason that this is</p> <p>24 all very confusing here.</p> <p>25 Q. So, for example, on page 1106.</p>

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<p>86</p> <p>1 A. 11 —</p> <p>2 Q. That's the second page of this? hi</p> <p>3 A. 1106.</p> <p>4 Q. So just by way of example, what is</p> <p>5 number at the top, 3164 mean?</p> <p>6 A. I have no idea. I see A group, got</p> <p>7 IR, that's inter river. A 1 and 2, White Canyon</p> <p>8 is, this is something I for location for the La</p> <p>9 Department of where, where these mines were. I</p> <p>10 wanted the localities, I guess. And they gave us</p> <p>11 of mines and wanted to know where they were</p> <p>12 And you see there are some question marks, these</p> <p>13 I didn't know.</p> <p>14 Q. Do you know if any of this is later</p> <p>15 finalized in any form anywhere?</p> <p>16 A. Yeah, probably the Labor Department files.</p> <p>17 Q. Okay.</p> <p>18 A. I don't think they used any of it.</p> <p>19 they wanted to know — I think they got this</p> <p>20 out of the shoe box report, or someplace, and they</p> <p>21 wanted to know the locations of them.</p> <p>22 Q. Do you know where these maps are</p> <p>23 that are referred to on page 1105?</p> <p>24 A. 05, yeah, I — they gave this one, I</p> <p>25 have them. These are what the AEC called economic</p>	<p>88</p> <p>1 Q. Does the WC refer your initials?</p> <p>2 A. Initials, yeah, because I — all these</p> <p>3 maps, I owned them, I put a WC with a, with a s</p> <p>4 And I don't know what that A means afterwards.</p> <p>5 Q. Okay. And if you wanted to locate</p> <p>6 right now at your house, could you find them?</p> <p>7 A. Probably. They're all folded, they're</p> <p>8 a great big map like that, and they're all folded</p> <p>9 kind of yellow. I think I loaned some to the</p> <p>10 other day, though.</p> <p>11 Q. To who?</p> <p>12 A. To the people down at the, the</p> <p>13 down at the DOE working on the Bynum Uranium M</p> <p>14 project, so. These maps show the location</p> <p>15 the section, township and range of uranium in</p> <p>16 Utah.</p> <p>17 Q. Let's turn to Exhibit 134, please</p> <p>18 A. Okay. Now, I know what this is.</p> <p>19 Q. For the record, that's Form 760 through</p> <p>20 BC 1227. And could you tell us briefly what it</p> <p>21 please?</p> <p>22 A. Uh-huh.</p> <p>23 Q. What is this?</p> <p>24 A. This some more stuff I did for the</p> <p>25 Department, or the Justice — the RECA program</p>
<p>87</p> <p>1 maps in the '50s, the guys, we plotted — all</p> <p>2 out in Utah, they plotted all mine locations on</p> <p>3 photographic basis, and then compiled these into</p> <p>4 economic maps.</p> <p>5 Q. Okay, I have to stop you there for</p> <p>6 while we change the tape. I'm sorry.</p> <p>7 JOHN DENNIS DUNN: This time</p> <p>8 approximately 10:37. This is the end of tape 2</p> <p>9 in the deposition of William Chenoweth. Going off</p> <p>10 the record to change tapes.</p> <p>11 (A recess was taken from 10:37</p> <p>12 Until 10:40 a.m.)</p> <p>13 JOHN DENNIS DUNN: We're on</p> <p>14 record. This is the beginning of tape 3. We</p> <p>15 We're on the record. This is the beginning of</p> <p>16 number 3 in the deposition of William Chenoweth.</p> <p>17 time is approximately 10:40. We're on the rec</p> <p>18 Q. Anyhow, before the tape change</p> <p>19 was, these Department of Labor maps that</p> <p>20 that are on page, listed on page 1105 of Exhibit</p> <p>21 you have them in your house somewhere?</p> <p>22 A. Yeah, I — these were folded up</p> <p>23 in my desk. If it's got a WC number after</p> <p>24 it. If it doesn't have a WC number, I don't</p> <p>25 it is because —</p>	<p>89</p> <p>1 know, they compensate ore truck drivers that ha</p> <p>2 certain diseases, and they had a list of ore tr</p> <p>3 drivers, ore truck drivers and companies, and</p> <p>4 And then the Labor Department comes along and</p> <p>5 mill did they haul to? DOJ doesn't care, the</p> <p>6 Department did.</p> <p>7 So they had me, with the best of</p> <p>8 down — we, we had a list of mills, like I think</p> <p>9 is Uravan, UT, UT-1 is Moab. Anyway, I went</p> <p>10 through all this list of, of ore haulers</p> <p>11 had and put on a, where they went to the</p> <p>12 Labor Department. It was a big, wild ass, guess</p> <p>13 what it was.</p> <p>14 But that's — so I went through</p> <p>15 companies and put down what mill. And that's</p> <p>16 AZ-5, I think, is probably Tuba City. And</p> <p>17 probably New Mexico. I, I — anyway, that's</p> <p>18 for the Labor Department. They wanted to</p> <p>19 what mill these guys hauled to, so that's</p> <p>20 is, so.</p> <p>21 But someplace, I'm surprised it is</p> <p>22 here, it will give what mill, like WA-1 is</p> <p>23 that's the mill at, in the state of Washington.</p> <p>24 And — where are we. And see, even some</p> <p>25 on the railroads, and they wanted to know</p>

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<p>90</p> <p>1 they went to. So I see here, Burlington Northern 2 Railroad, I got some mills here. I can recognize 3 don't recognize — 4 Q. I just needed to know generally. 5 A. Anyway, that's, that's — this is one of 6 ore transporters DOJ had, and they wanted to know 7 to the best of my knowledge what mill they haul 8 And a lot of it is just, like say, a big steel gu 9 Q. Let's look at page 1189, please. 10 A. 89, all right. 11 Q. And for the next new pages to filter 12 A. 89, okay. 13 Q. What's that? 14 A. This is some, something I don't recall 15 did, and I can't recall what it's all about. 16 Q. Okay. 17 A. It doesn't make sense to me. 89, I got 18 ore at the top Paquate, ore, Polar Mesa, Mesa 19 John Brown Canyon, Yellow Jacket. These are 20 localities, but I have no idea. This is from 21 from the Labor Department. 22 Q. Okay. If you could turn to page 1195. 23 A. Okay, 1195. Oh, here we go. Okay. 24 Q. And I'll just say I think that's first 25 of a 13-page document.</p>	<p>92</p> <p>1 reference — correct citations. 2 Q. Okay. 3 A. I said, well, I remember a report 4 had the report number on, say, Tallahassee Cree 5 Colorado. I went up there to get the citation. 6 Q. So do you have a copy in your files 7 of Exhibit 134? 8 A. All these — do I have a copy of it 9 stuff? Yeah, it was copied out of my — yeah, 10 This professional secretary sent documents to me 11 Internet, I mean, all by email. See, Boston, 12 so. This was copied out of my files, but I do 13 think — probably on DOJ — DOE references, something 14 like that. 15 Q. Let's look at Exhibit 135, please. It is 16 miraculously short at two pages. 17 A. Oh, this is another one of those that 18 Jeff Tact and I put together about who the contractors 19 were at — not the prime contractor, but other 20 contractors at ore buying stations and a steel 21 plant. 22 Q. Okay. How did you put this together? 23 A. Jeff and I looked through the records. 24 Q. To your knowledge, is it accurate? 25 A. Well, I don't — it's the best I could do.</p>
<p>91</p> <p>1 A. Okay. 2 Q. What's that? I guess my question is: 3 that relate in any way to the RECA work for the 4 Department of Labor? 5 A. Yes, it does. They wanted general 6 references, the general references, but they wanted 7 references by state. This is something from the 8 Labor Department, or I had — and this Division, I 9 was a professional secretary that typed this all 10 from, from my notes for the Labor Department. 11 Q. Is Exhibit 134 something that's from 12 your files? 13 A. 134? 14 Q. That's the one we've been looking 15 A. Yeah, it — no it came — yeah, it 16 from a lot, a lot of notes, and things about — 17 just general references from all different areas 18 different areas. 19 Q. But it came from your house? 20 A. And, and I think I used the State or 21 the Colorado Mesa University Library, oh, I got to 22 do this in. This was various sources, because 23 when DOE was downsizing, their uranium library 24 to Mesa State College up on the third floor, that's 25 where I went to get a lot of these references.</p>	<p>93</p> <p>1 Q. And complete through 1966? 2 A. I think so. Yeah, because, because 3 frankly, McGinley and Al Albrethsen had put 4 some of these dates and some of these strange 5 that were here in the beginning, but it's the dates 6 should be pretty correct, because we went through 7 through the records and got the dates of it. 8 Q. Is he still alive? 9 A. Oh, he's the records, still, the 10 manager for the contractor at the site here. 11 Q. Let's look at 136, please. He's the record, 12 that's pages 1262 — 13 A. Yeah, this is, this is a — 14 Q. Excuse me, I just want to say 15 what the Bates Numbers are. 16 A. Okay. 17 Q. 1262 through 1264. What, and this, 18 please? 19 A. Okay. The site down here, the office, 20 got a request for a summary of the leasing from 21 the Office of General Counsel and, and so I got 22 myself and Ed Cotter to put this together with the 23 of General Counsel, and he provided the attachments 24 of attachments on public land orders. Well, this 25 This is a joint effort between Ed Cotter and myself.</p>

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<p>1 Jeff Tack per a request of from the General Counsel 2 DOE General Counsel on the leasing program. I can't 3 tell you what year it was, but it was several years ago. 4 And they wanted to see these public lands where we 5 drew the land, and they wanted to see copies of 6 and, and the Circular 8 Revised Program. I had 7 then Ed found the leasing program fact sheet. I didn't 8 know I had that copy, but I'm — 9 Q. Other than the missing attachments 10 are here, is this a complete copy of what you 11 prepared? 12 A. Yeah. As far as I remember years, 13 Yeah, it says — because October, 2003, is that's 14 when we wrote it. 15 Q. Okay. 16 A. But I'm sure they have a complete copy 17 there, because — 18 Q. You recognize this document as one 19 prepared? 20 A. 137? 21 Q. Yeah. 136. 22 A. 136. Oh, yeah, this is, this is, this is 23 I worked on. I didn't know I kept a copy, but 24 because I wrote some of this about what Minnie did 25 during the Manhattan Project on, specifically the</p>	<p>94 1 Q. In Grand Junction? 2 A. The Grand Junction office. They've 3 been sent, as far as I — but these, this has 4 superseded by the Sioux Falls Shoe Box Report. 5 I don't know if these are ever going to be sent to 6 archives instead — or what. 7 Q. Okay. Do you know who prepared this 8 originally? 9 A. What? 10 Q. Whose computer prepared this readily, 11 do you know? 12 A. Oh, it was the — this was handled 13 by, when we were AEC, down at the site here. 14 Q. Okay. 15 A. Because they took all the old records 16 computerized them here, and did this only years, 17 on a year-by-year basis. But, you see, this is for 18 '48 through '53 were all lumped together, for 19 reason. And then after '53 there was also this 20 prepared for every year right through 1983, right 21 through 1983. 22 Q. Let's turn to Exhibit 138, please, the 23 printout entitled — 24 A. This is for year 1960. 25 Q. How can you tell?</p>
<p>95 1 Indian land — on the Navajo Reservation. And, I 2 Ed looked at his files and got all these materials and 3 he read it over. And then it got edited by him 4 before they sent it off to them. 5 Q. Okay. Let's turn to 137, please, is 6 entitled Ore Production Report, and it begins on 7 1607 and appears to end at 1671. Do you recall this? 8 A. Oh, yes. 9 Q. Is it from your files? 10 A. Yes, these, these are the old war 11 production records by year that I kept before I left. 12 me it was all in the, when I left, because I 13 it's all in the National Archives, because going 14 to do some work for Arizona, I was — it called the 15 Navajos wanted a report on everything that was down 16 there, mining, and all that. And they said, maybe 17 you can get some money from the tribe after we 18 do, so you might as well keep those records on 19 forth. So, so the Navajos never did never pay 20 money for me to do this. But anyway, these 21 there are the one — the original big one, and 22 records that I had, that I copied that they have 23 down there. 24 Q. Where is down there? 25 A. The site.</p>	<p>96 1 A. It says at the top, For Calendar 1960. 2 It says — see, everything is sorted by state 3 within the state, and then controller, alphabetically 4 controller, giving the mine name, the tons of 5 pounds of uranium, percent, and the variance, 6 that, so. And when I was writing some of these 7 I'd go through and add up, I had — yeah, little 8 check marks are mine that I felt, that I had 9 together here. 10 Q. Let me just for the record, this is 11 BC 1672 through 1708. And I'd like to call yo 12 attention to page 1677. 13 A. 77, huh. A blank sheet, you mean 14 Q. That's correct. So I'm not going 15 able to ask you any questions about this, are 16 you know why it's blacked out, if it was black? 17 A. No. It probably was never copied. 18 I only copied — I only kept the Arizona section. 19 Arizona ends here on sixty — on 76 and then 20 California, and probably I didn't have anything that 21 Q. So your copy also has a blank? the 22 A. Yeah, I think it's just a blank page 23 don't think it's black like this. 24 Q. Oh, okay. 25 A. Because the Cal — everything Arizona</p>

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<p>98</p> <p>1 starting in California I didn't need.</p> <p>2 Q. And so that would be the same file,</p> <p>3 for 1685?</p> <p>4 A. Probably. Because this is — again.</p> <p>5 Uh-huh.</p> <p>6 Q. So do you think it would be in your</p> <p>7 files at home?</p> <p>8 A. Oh, yeah. Because — yeah, yeah, I</p> <p>9 is all blanked out here because I don't have an</p> <p>10 that.</p> <p>11 Q. Let's turn to Exhibit 139, which is EC</p> <p>12 1709 through EC 1775.</p> <p>13 A. Okay, see that —</p> <p>14 Q. Is that just another one right there —</p> <p>15 A. No, this is the New Mexico section. Before</p> <p>16 we had the Arizona — all these other ones, like</p> <p>17 like in Exhibit 139 — I mean 138, excuse me, all</p> <p>18 Arizona stuff, and this one, 139 is all New Me</p> <p>19 stuff. New Mexico ore production.</p> <p>20 Q. On the first page of the exhibit's</p> <p>21 some handwriting, it says Canyon, Red Rock, and</p> <p>22 in Arizona. Do you see that?</p> <p>23 A. Yeah.</p> <p>24 Q. That's your handwriting?</p> <p>25 A. Yeah, this is some of the old, and</p>	<p>100</p> <p>1 help you.</p> <p>2 Q. Let's turn to Exhibit 141, which is EC 2752</p> <p>3 through EC 2861. Just flip through it quickly,</p> <p>4 would, please.</p> <p>5 A. This is —</p> <p>6 Q. Do you know what it is?</p> <p>7 A. Oh, yeah, this is out of my file. A</p> <p>8 list of allocations, because, beginning in the 1940s</p> <p>9 had to cut down on how much uranium to buy. So</p> <p>10 says you can't buy uranium, all the uranium found</p> <p>11 now, we can't afford that. So they had to give</p> <p>12 allocations to miners based on the November 24</p> <p>13 reserves, and other criteria. And this list of</p> <p>14 allocations. And what I kept this for is a binder</p> <p>15 over here, there's a file in the National Archive</p> <p>16 all the allocations. That's a lot of the history of</p> <p>17 these mines from about 1962, after the cutoff</p> <p>18 program. The allocation files have a lot of</p> <p>19 history in them, and that's why I kept this. So,</p> <p>20 got an index to what's in the National Archive</p> <p>21 Q. Okay.</p> <p>22 A. Because they'll describe who gets on</p> <p>23 in the, during the allocation program, and who</p> <p>24 '66, or something like that.</p> <p>25 Q. If you could turn to page 2791.</p>
<p>99</p> <p>1 when the people would deliver ore to the mining bu</p> <p>2 station and mill, the truck drivers sometimes knew</p> <p>3 what state they were from. And in this case, t</p> <p>4 mines in New Mexico are listed in Arizona file</p> <p>5 later from research.</p> <p>6 Q. Would you please turn to Exhibit 141,</p> <p>7 is pages EC 11 — sorry, 1776 through EC 1835.</p> <p>8 please tell us what it is.</p> <p>9 A. That's all New Mexico for the year</p> <p>10 through, what is the end, through '71.</p> <p>11 Q. And again, what was the significance</p> <p>12 your hanging on to these things, or making up</p> <p>13 them?</p> <p>14 A. Because, because they had, it had</p> <p>15 had — we needed — the AEC gave the New Mexico</p> <p>16 of Mines ore production records for our report, we</p> <p>17 wrote afterwards. And that was for that. As for</p> <p>18 the so-called Navajo Project I was hoping to do</p> <p>19 Q. Was this when you were working in the New</p> <p>20 Mexico Bureau of Mines?</p> <p>21 A. Yeah, after I retired. It was really</p> <p>22 work. I didn't get a salary, but I got expenses</p> <p>23 paid for; travel, typing, drafting, all that.</p> <p>24 hell, I had something to do, and they, they wa</p> <p>25 compiled data on New Mexico. And I said, I like</p>	<p>101</p> <p>1 A. '91?</p> <p>2 Q. Correct.</p> <p>3 A. '91, okay. Oh, I see there's a lot of lo</p> <p>4 press releases, and things in here, of — about</p> <p>5 That was in the allocation file. Oh. '91, okay.</p> <p>6 Uh-huh.</p> <p>7 Q. There's a bunch of materials that is</p> <p>8 be addressed to a Jesse Johnson?</p> <p>9 A. Yeah.</p> <p>10 Q. And is that somehow part of the</p> <p>11 allocation —</p> <p>12 A. Yeah, he was the director of Division</p> <p>13 of Raw Materials. And Allan Jones was the man. And</p> <p>14 what was it the Navajo said, Mr. Collins. Mining</p> <p>15 Department over there said, well, we, we're not</p> <p>16 owners of all these mines that produced, and</p> <p>17 and the past production, we ought to be able to</p> <p>18 allocation. So after a lot of talking back then,</p> <p>19 the AEC gave the Navajo Tribe a blanket title for</p> <p>20 that if any mining would take place, they would</p> <p>21 would get an — they had an allocation to use</p> <p>22 this allocation period. And this was signed by</p> <p>23 Jones had to write to headquarters and tell what</p> <p>24 was going on.</p> <p>25 Q. Did you actually compile this stuff?</p>

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<p>102</p> <p>1 yourself?</p> <p>2 A. No, this, this was probably, this is</p> <p>3 is in the file folder that I borrowed from copy</p> <p>4 the allocation numbers, all this other stuff I</p> <p>5 must have, I must have copied it just to have the</p> <p>6 file with it.</p> <p>7 Q. You're not the person who — e stuck</p> <p>8 Did you actually get these allocations under the</p> <p>9 National Archives?</p> <p>10 A. Yeah, we've gotten a, got reports</p> <p>11 Q. I mean you personally.</p> <p>12 A. Now, you — like there's a place in</p> <p>13 here I got box numbers. Ch, yeah, here it is</p> <p>14 Yeah, when I was working on the Navajo Allocation</p> <p>15 to know something about, who, what was going on</p> <p>16 mine in the '60s, and I wasn't on — I wasn't there</p> <p>17 then, but you could get an, you could get allocation</p> <p>18 file and it'd tell you what was going one — so I</p> <p>19 probably, when I was working on the Navajo Allocation</p> <p>20 probably ordered maybe a half dozen of these</p> <p>21 reports just for the historical information.</p> <p>22 Q. Do you know who actually typed</p> <p>23 up, Exhibit 141?</p> <p>24 A. Pardon?</p> <p>25 Q. Do you know who typed it up?</p>	<p>104</p> <p>1 3956.</p> <p>2 A. 39. Ch, yeah.</p> <p>3 Q. You don't have to read every page.</p> <p>4 kind of flip through it, if you would, and what</p> <p>5 it is.</p> <p>6 A. These are, these are my field notes</p> <p>7 had in a little — they're on IEEAX, IEEAX little</p> <p>8 trade name for a little type of notebook and</p> <p>9 these are all my IEEAX sheets of all my field</p> <p>10 these other peoples' field notes in here, it's</p> <p>11 just stuff that I, I kept because it had of, lot</p> <p>12 mostly on the reservation. Stuff I kept for the</p> <p>13 historical era.</p> <p>14 Q. Is this thing all from a single folder</p> <p>15 in your files?</p> <p>16 A. No, it's not in a file, it's little</p> <p>17 notebook. A series of — well, I'd take it if o</p> <p>18 notebook binders, but they're in a little box in a</p> <p>19 little box about so big by so big in my, in my</p> <p>20 of my file cabinets.</p> <p>21 Q. Okay. Just look for a section BC 327.</p> <p>22 A. 33, 33. Ch. 33, okay. 33 getting</p> <p>23 there. Ch, yeah.</p> <p>24 Q. Selection tape typewriting.</p> <p>25 A. Ch, this is, this is — these are</p>
<p>103</p> <p>1 A. You mean, you mean the big table?</p> <p>2 Q. Yeah.</p> <p>3 A. It was done by the staff down at the</p> <p>4 Grand Junction site.</p> <p>5 Q. It wasn't you?</p> <p>6 A. Ch, no. I, I never had anything</p> <p>7 allocation — I never had anything to do with t</p> <p>8 allocation program, but it was, it was — these</p> <p>9 allocation files do have a lot of mining histor</p> <p>10 them.</p> <p>11 Q. Gotcha.</p> <p>12 A. And all these memos, I see in my</p> <p>13 allocation file and they got copied. Good, they</p> <p>14 got copied.</p> <p>15 Q. Got it. Let's turn to Exhibit —</p> <p>16 A. It's all public information and in</p> <p>17 sure in the National Archives all these are in</p> <p>18 their file, too.</p> <p>19 Q. I'd like to turn to Exhibit 142.</p> <p>20 A. Ha, ha, ha.</p> <p>21 Q. That spans two binders, I believe it</p> <p>22 begins BC 3271, and I believe it ends — this at</p> <p>23 one —</p> <p>24 A. 32?</p> <p>25 Q. It starts at 3271, and I believe it ends at</p>	<p>105</p> <p>1 3326 says Operators, compiled by Paul Knobles</p> <p>2 the district geologist for the AEC, and he had,</p> <p>3 he typed all these up about, mainly from my who</p> <p>4 the companies were and their addresses, at all</p> <p>5 And all this typing is — and he had — see says</p> <p>6 IEEAX sheet, that's his — and when he left there</p> <p>7 his little notebook, and so I just kept it all</p> <p>8 this typing is his. Yeah, it — yeah.</p> <p>9 Q. And taken together, this Exhibit is</p> <p>10 that — what does that — does that represent</p> <p>11 your field notes that you —</p> <p>12 A. Just about.</p> <p>13 Q. — and took IEEAX for your entire</p> <p>14 A. Yeah, this is — from my field notes.</p> <p>15 Q. So it's covers all the states you in?</p> <p>16 A. No, this is mainly, mainly on it think</p> <p>17 there's any Wyoming stuff in here, that's the area</p> <p>18 notebook, but, that wasn't copied, but — it's in my</p> <p>19 my work on the reservation, or Arizona and New,</p> <p>20 it looks like.</p> <p>21 Q. From when you were working for the federal</p> <p>22 government?</p> <p>23 A. Yeah. Ch, yeah.</p> <p>24 Q. Does look like, and I realize any huge</p> <p>25 through every page, but in general, does look</p>

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<p style="text-align: right;">106</p> <p>1 complete set of your field notes?</p> <p>2 A. It's all I have, it looks like.</p> <p>3 Q. Okay.</p> <p>4 A. And other people, like some of my</p> <p>5 co-workers, when they left the DOE — AEC left</p> <p>6 their notebooks there, and they're in here, too</p> <p>7 They're not just — I see a lot of Dan Magleby's</p> <p>8 here on a lot of these pages. He was a co-worker</p> <p>9 Flagstaff office. DNN — DNM is Dan N. Magleby</p> <p>10 M-a-g-l-e-b-y.</p> <p>11 Q. I think probably most of the people in the</p> <p>12 room know the answer to this question, but I'm not</p> <p>13 asking it anyhow. If you would just turn to that</p> <p>14 page, EC 3273.</p> <p>15 A. 33.</p> <p>16 Q. 3273.</p> <p>17 A. Ch, 32.</p> <p>18 Q. It's right near the very beginning</p> <p>19 A. Ch, yeah.</p> <p>20 Q. Where it says Jimmie King, about</p> <p>21 A. Yeah. Yeah, like I made a sheet</p> <p>22 about — each of the — see, it's got a sheet</p> <p>23 Carrizo Mountains, East Carrizos, General</p> <p>24 And that — made a sheet like that on all the</p> <p>25 operators in the eastern — in the different</p>	<p style="text-align: right;">108</p> <p>1 A. He went to the Tuba City Mill and</p> <p>2 Mr. Runke up there, and this is his notes after</p> <p>3 talking to Mr. Runke. Because he says Tuba City</p> <p>4 where he got his information.</p> <p>5 Q. And that's the TC Mill?</p> <p>6 A. Yeah, TC is Tuba City.</p> <p>7 Q. In the upper right where it says</p> <p>8 A. Yeah, that's his writing.</p> <p>9 Q. Gotcha.</p> <p>10 A. He was co-worker in the Flagstaff</p> <p>11 And he — and the date was '61. Yeah, M. H. we</p> <p>12 were doing production capability.</p> <p>13 Q. So you have this because you got</p> <p>14 notebook?</p> <p>15 A. Yeah, uh-huh. And then I tried to</p> <p>16 them in my notebook, all the new, chronological</p> <p>17 that's why his notes are intermixed with my</p> <p>18 The next page over, 437, is when he went to</p> <p>19 to mill and got data.</p> <p>20 Q. Gotcha. Okay, let's go to the</p> <p>21 of this, so we're going to look now at 143 for</p> <p>22 record, Exhibit 143 is pages EC 3957 through</p> <p>23 A. This is 151?</p> <p>24 Q. 143.</p> <p>25 A. Ch, here. Okay, yeah, 143. Okay,</p>
<p style="text-align: right;">107</p> <p>1 the Carrizos.</p> <p>2 Q. And if you look at this page just</p> <p>3 at like the next ten pages afterwards, just read</p> <p>4 quickly.</p> <p>5 A. These are all the companies in the</p> <p>6 Carrizos.</p> <p>7 Q. And that's your handwriting? right</p> <p>8 A. Ch, sure.</p> <p>9 Q. Okay.</p> <p>10 A. And Paul Knowles looked at this</p> <p>11 all of this on these typewritten sheets.</p> <p>12 Q. Okay.</p> <p>13 A. Had contacts and all the people but</p> <p>14 there, and what they said.</p> <p>15 Q. Let me just see if I can find</p> <p>16 here. Let's just look for a second, I'm going to</p> <p>17 this for all of them, let just look at EC 3957</p> <p>18 is —</p> <p>19 A. 34.</p> <p>20 Q. — just a little ways through it.</p> <p>21 A. Okay, I got it.</p> <p>22 Q. Whose handwriting is all that?</p> <p>23 A. That's Dan Magleby's, his name</p> <p>24 see.</p> <p>25 Q. Ch, I see. Okay.</p>	<p style="text-align: right;">109</p> <p>1 ho, ho.</p> <p>2 Q. Do you recognize this?</p> <p>3 A. Yes. This is something I wrote</p> <p>4 John's people over there, and somehow it was in</p> <p>5 remember now, I had a brown envelope marked</p> <p>6 had a bunch of stuff that I was doing for</p> <p>7 where abandoned uranium mines were and they</p> <p>8 but that's a —</p> <p>9 Q. And if you would just look back</p> <p>10 3957.</p> <p>11 A. Okay. Hold on.</p> <p>12 Q. And ending at — where does it</p> <p>13 A. Okay. What I did for Stoller, for</p> <p>14 help, help one of the men down there, Craig</p> <p>15 understand about the VCA on the Carrizos</p> <p>16 that memo ends at 3963. And then we started</p> <p>17 mining contractors compiled for the RECAP</p> <p>18 the Cameron area on 3966. So there's a</p> <p>19 here.</p> <p>20 Q. Okay.</p> <p>21 A. I don't think that was the</p> <p>22 but —</p> <p>23 Q. Well, let's look at 3964, would</p> <p>24 please.</p> <p>25 A. 64. 3964. Okay.</p>

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<p>110</p> <p>1 Q. Okay, that's part of the same—</p> <p>2 A. That's part of that same —</p> <p>3 Q. — as the first page.</p> <p>4 A. The same thing about Westerns, West</p> <p>5 Reservation lease.</p> <p>6 Q. Is this a complete copy of whatever</p> <p>7 file?</p> <p>8 A. Yeah, uh-huh.</p> <p>9 Q. As far as you know, is it a temple</p> <p>10 A. Oh, yeah, because it ends with</p> <p>11 from Bob Scarborough, because the map with the</p> <p>12 3963 show a cross section. So this is the section</p> <p>13 referred to on this map.</p> <p>14 Q. 3964 is a cross section —</p> <p>15 A. Is a cross section of the Rabbit Mine</p> <p>16 and the location of the cross section is there.</p> <p>17 Q. Got it. And did you, did you have</p> <p>18 report that's the first few pages of 143?</p> <p>19 A. Yeah. Yeah.</p> <p>20 Q. Is this a complete copy of —</p> <p>21 A. Yeah, that's a complete copy of the</p> <p>22 information sheet about the West Reservation, I</p> <p>23 because it's very complicated, how the record</p> <p>24 and screwed up.</p> <p>25 Q. Then 3965, is that just a standing</p>	<p>112</p> <p>1 A. That — this all most have been in</p> <p>2 Q. What is that?</p> <p>3 A. Yeah, this is — what was that New</p> <p>4 Mexico Geological Society was having a field tr</p> <p>5 through Durango years ago, and this must be a</p> <p>6 something I submitted to them about, put in about</p> <p>7 the — because at the time the big smokestack o</p> <p>8 Durango site was still standing, but it's gone</p> <p>9 Q. Do you know if this thing ever came</p> <p>10 a final form?</p> <p>11 A. Yeah, I think it was published in the New</p> <p>12 Mexico Geological Society.</p> <p>13 Q. Did you — did this begin at 3970</p> <p>14 A. Yeah, this is a draft — well Daily</p> <p>15 Sentinel, our local newspaper, was doing an article</p> <p>16 the history of uranium and the tailings they asked</p> <p>17 me to write something about the tailings, well</p> <p>18 didn't know much, but John here helped me write</p> <p>19 Q. Right.</p> <p>20 A. This was published in the Daily Sentinel.</p> <p>21 Q. So this became a newspaper article</p> <p>22 A. Yeah.</p> <p>23 Q. Do you recall when about it published?</p> <p>24 A. Several years ago.</p> <p>25 Q. Okay. The next two pages.</p>
<p>111</p> <p>1 or does that go with whatever file this is?</p> <p>2 A. No, that goes — that was from K. It</p> <p>3 wrote that for — a ho, ho, ho, ho, ho, Ed, we</p> <p>4 guess I was talking with one of the Navajo</p> <p>5 uranium mines people — gosh, I'm having a</p> <p>6 Yazzie, about a mine over along the Canonicito</p> <p>7 Reservation, and he wanted more information. I</p> <p>8 was something that I provided to the Navajo</p> <p>9 uranium mines people just for their information</p> <p>10 this is some Navajo land way over towards Ship</p> <p>11 Q. And this thing that is just a</p> <p>12 document —</p> <p>13 A. Yeah, it's an information sheet o</p> <p>14 little, a little mine over there on the Canyon</p> <p>15 is now, goes by a different name now I can't</p> <p>16 Because it, it, it's a mine on Navajo land and</p> <p>17 forgotten about, and I was just keeping it</p> <p>18 Q. What are the next two pages?</p> <p>19 A. That's the RECA stuff that I kept for</p> <p>20 RECA on mining contractors in the Cameron</p> <p>21 this is from Arizona, Arizona mine inspection</p> <p>22 notes and my own field notes from working</p> <p>23 several years, '57 to '62.</p> <p>24 Q. The next two pages is entitled Ship</p> <p>25 Site. And maybe it's more than two pages.</p>	<p>113</p> <p>1 A. This must have been, this must be in</p> <p>2 that miscellaneous envelope of mine. Now, what's</p> <p>3 on 90, 3972 is not complete. Because there's a</p> <p>4 cover letter to Stewart Udall, who requested the</p> <p>5 information for some hearings he was going to</p> <p>6 Shiprock. And I don't see the cover letter that</p> <p>7 this was prepared by me, because I didn't want</p> <p>8 to go down to Shiprock to testify, so I sent him</p> <p>9 something when he was having hearings about</p> <p>10 of the Navajo miners in the, in the early days I</p> <p>11 said, yes, I would write something about the</p> <p>12 around the Carrizos. And this is it. And it'd be</p> <p>13 in the — it should have been entered in the</p> <p>14 the hearings that Stewart Udall had in Shiproc</p> <p>15 Q. Putting aside the absence —</p> <p>16 A. — in '93.</p> <p>17 Q. Putting aside the absence of the</p> <p>18 letter, is this a complete copy of —</p> <p>19 A. Sure, it's two pages.</p> <p>20 Q. That's what you sent to Mr. Udall</p> <p>21 A. Uh-huh. These two pages — e</p> <p>22 Q. Well, let's begin with 3974's what?</p> <p>23 A. That something I wrote just for the</p> <p>24 RECA Program. Because they were going to</p> <p>25 records, and NIOSH was saying all the mine</p>

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<p style="text-align: right;">114</p> <p>1 were — a lot of the mines in Cameron were underground 2 mines in the NIOSH records. That's National Institute 3 of Occupation Safety and Health, and they have 4 this was really confusing the people at FEA, the 5 looking of mine names and they said it's something 6 and I told them it's an open pit. So they wrote 7 something about how the NIOSH records were mixed 8 up. 9 Q. They were, in fact, open pit? 10 A. Yeah, they are. I'm writing this to 11 point out the error in NIOSH's WL reading given. 12 Because they were getting high, estimating things 13 readings, that's working levels, in underground 14 and there aren't any underground — these were 15 underground mine properties. You know, -like - 16 Q. What is the WL? 17 A. The working level. That's uranium 18 radiation used to calculate for health and safety 19 somehow. 20 Q. Just flipping through the rest of 21 pages, are these all things that you prepared? 22 A. And this Ore Buying Stations, this 23 wrote RECA. And 70, 3976 is something I did for 24 abandoned uranium mines on Cove Mesa for DOE 25 for DOE down here, for Craig Goodnight.</p>	<p style="text-align: right;">116</p> <p>1 looked at. 2 Q. Okay. Then let's turn to 145, from 3 the record has a slightly different Bates range 4 A. I think — 5 Q. — US CHEN 336. 6 A. Yeah, this is something I wrote to clarify 7 something somebody asked me. When did I write it? 8 guess this is probably written for DOJ also, for the 9 City Mill, because I think they had a claim from 10 that worked on the construction of the mill, didn't 11 work in the mill, or something. 12 Q. Do you think this is a RECA document? 13 A. It's a RECA document, yes. 14 Q. And you prepared it? 15 A. Oh, yeah. 16 Q. Based on personal knowledge? 17 A. Well, no, I looked it up in the 18 McGinley report, and some other — I refer to the 19 bottom, don't I? 20 Q. Yes. 21 A. Okay. 22 Q. There's a reference there. at your 23 source? 24 A. AEC, CD. Oh, yeah. 25 Q. What does that mean to you?</p>
<p style="text-align: right;">115</p> <p>1 Q. Is 3976 through 77 a complete — 2 A. Oh, yeah, that's a summary of one, 3 the AEC lease on Cove Mesa. 4 Q. Okay. Then if you just flip through 5 next two or three pages from 3978 to 3982, just a 6 series of short documents. Are they complete or 7 what they are? 8 A. Yeah, uh-huh. 9 Q. Okay. If you could turn to 3983, I think 10 we've seen that one before. If you could just 11 recount what, what this is. Is it an article? 12 A. Yeah, it's — I belong to the Geological 13 Society of America and several years ago, I 14 old-timers if they could write up humorous things 15 remember from the past. And this one of them 16 I wrote about Jack Daniels was not a Navajo, a 17 name for a whiskey bottle found by where the mine 18 was made. 19 Q. The mine. 20 A. And it's a little humorous about a 21 mine that was named for whiskey bottle, not a Navajo. 22 Q. I understand. Let's turn to 3984, 23 please. It's just two pages. 24 A. That's another one — we've seen 25 this before. This is a duplicate of something</p>	<p style="text-align: right;">117</p> <p>1 A. I think that's a typo. I think it should 2 be CR, that's Arizona Contributed Report. That's a 3 report I wrote for the Arizona Geological Survey. I 4 think that should be CR instead of CD. 5 Q. If we could turn please to Exhibit 6 which bears Bates range US CHEN — 7 A. What page? 8 Q. 1, Exhibit 146. 9 A. Oh, 146. Ho, ho, ho. 10 Q. Which bear Bates range US CHEN 3192. Can you identify that, please? 11 A. Yeah, like when we had the constitution 12 They were asking if I kept old documents about 13 picked up at Window Rock from the Mining Department 14 there, and all this and that. And I said, yeah, a 15 lot of these in my file. And so I gave them a bunch 16 to have copied, and these are the, these are 17 miscellaneous press releases and minutes of the 18 Council relating to mining on the reservation. 19 Q. And this is material you picked up 20 Window Rock? 21 A. Yeah, through the — probably in the 1950s. 22 And some of it goes way back. And a lot of the 23 question came up about AEC relations with the 24 there's some memos in here back and forth between</p>

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<p>118</p> <p>1 manager and the, and the chairman, the Tribal 2 Chairman, and all that, so. 3 Q. When did you get copies of this 4 Window Rock? 5 A. Window Rock. Mainly — 6 Q. When? 7 A. Huh? 8 Q. When? 9 A. Ch. At various visits down there. 10 Q. So this is a compilation from — 11 A. Compilation, and I — when this 12 to John to copy, I sorted it by title; taking 13 permits in one place, early information there 14 place, the AEC permit in another place, and 15 so. These are my little yellow stickies 16 material that was paper clipped together. 17 Q. Do you know if this material is at 18 Window Rock or not? 19 A. It should — I wouldn't — I say it 20 could be, but it's — I don't know about it 21 down there. 22 Q. Okay. Let's turn to Exhibit 147, 23 I'll note for the record — 24 A. This says Application for Minings. 25 See, I think here, and the one we just talked</p>	<p>120</p> <p>1 Q. So Exhibit 147, which US CHEN 3193 2 through — 3 A. Because it was asked about minings 4 in the last deposition, and this is an application 5 mining permit. 6 Q. My only question — 7 DAVID A. TAYLOR: Excuse me, 8 could we take about a 15-minute break here? I 9 greatly appreciate it. 10 ROBERT N. FOSTER: Sure, totally. 11 JOHN DENNIS DUNN: This time 12 approximately 10:28 and we're off the record. 13 (A recess was taken from 10:28 14 until 11:30 a.m.) 15 JOHN DENNIS DUNN: This time 16 approximately 11:30, and this is the end of a 17 numbered 3 in the deposition of William Chenoweth 18 We're going off the record to change tapes. 19 (A recess was taken from 11:30 20 until 1:06 p.m.) 21 JOHN DENNIS DUNN: This time 22 and we're on the record. This is the beginning of 23 number 4 in the deposition of William Chenoweth 24 this is volume 2. We are on the record. 25 Q. Okay. I just have one more question</p>
<p>119</p> <p>1 where there's a letter from the AEC — I mean — 2 DAVID A. TAYLOR: Excuse me 3 A. — giving the AEC permission to go 4 it's a joint council resolution given in 1949, the 5 AEC sort of — wanted to cooperate with the AEC 6 uranium for the Cold War, be good patriots, and 7 that. Good Samaritan. 8 Q. Understood. I, I guess I can't read. 9 I just wanted to ask: Is this something that's from 10 your files? 11 A. Yeah, I have it. 12 Q. And where did you get it? 13 A. Over the years I collected this of 14 stuff that's been used in various lawsuits, and 15 still in my files, and it was all sorted by book 16 rough titles with yellow stickies on them, yellow 17 stickies on them for John. 18 Q. Do you know where you got this? 19 A. All this stuff came mainly from friends 20 in the Mining Department at Window Rock. 21 Q. Okay. 22 A. They'd say, ch, you want this? And 23 some of it came from the AEC files when they 24 letter up to the AEC, we were supposed to have 25 with us when we all worked on the reservation.</p>	<p>121</p> <p>1 Exhibit 147, which we talked about before the 1 2 break, Mr. Chenoweth. 3 A. 147, okay. 4 Q. And that is: Did that come from 5 did you get it? 6 A. I got that from the Mining Department 7 Mining Department of the Navajo Tribe in Window 8 Arizona. 9 Q. Perfect. Let's move on to 148. 10 A. 148. 11 Q. Can you tell us what that is? 12 A. 148 is a letter from the Mining Department 13 for their — let's see. Leo Denetsone, assistant 14 to the mining engineer. In my absence, Keith 15 he wrote this letter over to them to get all the 16 valid — let's see, all of the valid leases and 17 assignments of tribal, Navajo Tribal Mining Res 18 of the date of this letter, which is March 1960. 19 Q. And I see it's addressed to Tipton? 20 A. Tipton in the Grants office. 21 Q. Why do you have a copy? 22 A. Because I was in the Grants office 23 was — in 1960, no, in 1960 I was still at it, so 24 he sent me a copy over there. All these mines, 25 Cameron and Monument Valley mines.</p>

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<p>122</p> <p>1 Q. And when did you get a copy of this, or</p> <p>2 a copy?</p> <p>3 A. Probably the next day or a week after</p> <p>4 got it.</p> <p>5 Q. And you hung on to it ever since o</p> <p>6 A. Yeah, because Leo had made a compl</p> <p>7 inventory of all the valid leases and mining</p> <p>8 which, which a lot of people didn't know didn't</p> <p>9 know over in Arizona how many were still a valid</p> <p>10 Cameron or Monument Valley or over at Black Mt</p> <p>11 in the Lukachukai, so.</p> <p>12 Q. And I neglected to mention this at US</p> <p>13 CHEN 3203 through 32 —</p> <p>14 A. And I color coded, on my original code</p> <p>15 which ones were in Monument in Valley, which were</p> <p>16 in the Lukachukias.</p> <p>17 Q. Okay.</p> <p>18 A. And which ones were in the Black Mtains</p> <p>19 Q. Does that color coding look light or</p> <p>20 page, for example 3205?</p> <p>21 A. Yeah. Yeah, the color coding didn't</p> <p>22 out, but at least it looked like, Monument Valley</p> <p>23 supposed to be green, oh, it is kind of green</p> <p>24 Q. What are the colors?</p> <p>25 A. Blue is the Black Mountain variety</p>	<p>124</p> <p>1 Q. When was the last time you were in Window</p> <p>2 Rock?</p> <p>3 A. Well, it was the day that President Kennedy</p> <p>4 was shot. The reason I remember this is I was living</p> <p>5 in Grants and I made my monthly trip over to near</p> <p>6 I'd been up Grand Canyon, down to Cameronas coming</p> <p>7 across on the Tuba City to Window Rock Road, an</p> <p>8 thought, well, I'll stop in Window Rock and see</p> <p>9 new in the Mining Department. I got there, the</p> <p>10 was closed up. I said to this woman, what's up</p> <p>11 She says the president is dead and walked off. I</p> <p>12 didn't know even what happened until I got home</p> <p>13 asked my wife. And that's the last time I was in Window</p> <p>14 Rock. And that's how I remember it because of</p> <p>15 that that happened.</p> <p>16 Q. Let me call your attention to Exhibit 15.</p> <p>17 For the record, that's US CHEN 3214 to 3216.</p> <p>18 A. This is the cover letter that went with</p> <p>19 that document we saw previously.</p> <p>20 Q. Right, and that document was a summary,</p> <p>21 is that also part of this exhibit?</p> <p>22 A. Yes.</p> <p>23 Q. And taken together, is Exhibit 15</p> <p>24 complete —</p> <p>25 A. This is a complete exhibit.</p>
<p>123</p> <p>1 Tsosie School, and yellow would be the Lukachukai.</p> <p>2 Q. To your recollect, is this exhibit</p> <p>3 complete copy of —</p> <p>4 A. Yeah.</p> <p>5 Q. — what you received?</p> <p>6 A. Yes, it is.</p> <p>7 Q. And do you have a version of this</p> <p>8 today?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Well, let's move on to Exhibit 15.</p> <p>11 And I'm just going to state those Bates numbers that</p> <p>12 record, and that begin at 3209 and it would be 3213</p> <p>13 This is the US CHEN series. And I'll ask you this</p> <p>14 is.</p> <p>15 A. These are some more — these are old,</p> <p>16 I don't know if they're called resolutions, but</p> <p>17 they're old, old information about variances in</p> <p>18 the reservation that I got down at Window Rock. They</p> <p>19 wanted to know if this — I wanted historical</p> <p>20 going on back then, and they gave me these old</p> <p>21 resolutions.</p> <p>22 Q. Do you remember when you got this</p> <p>23 Window Rock?</p> <p>24 A. No. Probably, probably in the '50s</p> <p>25 Probably in the late '50s or early '60s.</p>	<p>125</p> <p>1 Q. Okay. Let's look at Exhibit 15.</p> <p>2 For the record, that bears Bates range, one US</p> <p>3 CHEN 3217. Do you recognize that? Do you recognize it?</p> <p>4 A. Yeah. This is a page out of a Navajo</p> <p>5 Atlas showing the reservation here is this</p> <p>6 area, that's the reservation boundary. And that's</p> <p>7 what we were talking about in the last deposition</p> <p>8 the allotted lands in McKinley County. And that's the</p> <p>9 best map I've ever seen of allotted lands in the</p> <p>10 where the Navajo say this is, this is the boundary of</p> <p>11 the Navajo Nation. And I drew in Township 14 North</p> <p>12 West here in the corner, that's, that's the</p> <p>13 That's eastern — that's western Ambrosia Lake</p> <p>14 that little dot is Kerr-McGee Section 22 and it</p> <p>15 shows the — we talked about the checkerboard</p> <p>16 This is an example of a checkerboard, yes, by the</p> <p>17 color coding.</p> <p>18 Q. And the Atlas that you referred to,</p> <p>19 could I get a copy of it?</p> <p>20 A. This is out of the, the summary I</p> <p>21 call the Navajo Atlas, the big things that the</p> <p>22 Engineers prepared for EPA, and that is one of</p> <p>23 summary report, the last, uh-huh.</p> <p>24 Q. Have you ever seen the whole? Atlas</p> <p>25 A. Ch, yeah, I've got copies of it.</p>

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<p>126</p> <p>1 Q. The whole thing?</p> <p>2 A. All the different areas — wells, an</p> <p>3 author on each, on each chapter. I contributed</p> <p>4 of the different regions. And so the Commission</p> <p>5 sent me copies of each when it was done.</p> <p>6 Q. Do you recall which core of engine</p> <p>7 office?</p> <p>8 A. San Francisco. They were acting for</p> <p>9 the Region 9 EPA.</p> <p>10 Q. Let's move to Exhibit 152, please</p> <p>11 A. And the contractor that did all the</p> <p>12 graphics was a contractor in Las Vegas called</p> <p>13 Spreca, Incorporated, T-e — T-e-r-r-a, Inc.</p> <p>14 S-p-r-e-c-a, I-n-c. They did all the graphics</p> <p>15 that, and they're the ones I worked for</p> <p>16 Q. For the record, Exhibit 152 CHEN 3218</p> <p>17 through 3228.</p> <p>18 A. So this — we were talking about</p> <p>19 different leases, and questioning about the leases</p> <p>20 on the allotted lands different than the lease</p> <p>21 reservation land. And I said I didn't know, have</p> <p>22 a copy of an allotted land lease, which was, yeah</p> <p>23 this is, this is the lease I got when I Grants</p> <p>24 about the reservation, about the mine on the</p> <p>25 Reservation east — just west of Albuquerque it's</p>	<p>128</p> <p>1 describe what that is, or these are, please?</p> <p>2 A. These are just miscellaneous notes of</p> <p>3 the Tribal Council that I picked up at Window Rock</p> <p>4 time to time dealing with, dealing with uranium</p> <p>5 vanadium mining.</p> <p>6 Q. Is there any special reason you chose</p> <p>7 these, other than the fact that they deal with</p> <p>8 and vanadium?</p> <p>9 A. Well, these are early ones. These I</p> <p>10 see this one has to do with the Shiprock Milling</p> <p>11 the mill at Shiprock, and, and — no, they</p> <p>12 all seem to be dated in 1953, so. And the thing</p> <p>13 the resolution — this is miscellaneous information</p> <p>14 about operating on the reservation.</p> <p>15 Q. Is that why you selected these?</p> <p>16 A. Yeah.</p> <p>17 Q. Okay.</p> <p>18 (Phone not on.)</p> <p>19 ROBERT N. FOSIER: Skip to</p> <p>20 Q. We're moving on to Exhibit 154 that</p> <p>21 is a single page bearing the Bates Number</p> <p>22 print, US CHEN 3238. Do you recognize this, M</p> <p>23 Chenoweth?</p> <p>24 A. Yes, this is the Department of En</p> <p>25 preliminary map of the Monument Valley. I did</p>
<p>127</p> <p>1 a typical, I was told this is a typical allotted</p> <p>2 lease.</p> <p>3 Q. Is there any particular significance</p> <p>4 this one over any other?</p> <p>5 A. No, it's just one that somebody think</p> <p>6 I got this — I think this was in the Grants</p> <p>7 files, or something, and I copied it, yeah, but</p> <p>8 refers to this real unknown mine on the Grants</p> <p>9 Reservation.</p> <p>10 Q. The Grants office of who?</p> <p>11 A. Atomic Energy Commission. Where</p> <p>12 transferred after Flagstaff was closed in 1962</p> <p>13 Q. Do you notice at the top, right, where it</p> <p>14 it says Exhibit A on page 3219?</p> <p>15 A. No, I don't know what that meant.</p> <p>16 Q. But you see what I'm talking about</p> <p>17 A. Ch, yeah. Uh-huh. I have no idea</p> <p>18 Q. Do you have any reason to doubt this</p> <p>19 is not a complete copy of the lease?</p> <p>20 A. No, I'm sure it is. I would say</p> <p>21 Q. Let's move on to — yes, making</p> <p>22 complete copy?</p> <p>23 A. Yes.</p> <p>24 Q. Let's move on to Exhibit 153, please</p> <p>25 the record, that's US CHEN 3229 through 3236 you</p>	<p>129</p> <p>1 prepare this, some of my co-workers did. I think of</p> <p>2 these maps we talked about last deposition that I</p> <p>3 prepared, mainly for the Navajo mining people</p> <p>4 what we knew about where the mines were, and the</p> <p>5 geologic trends, and so forth. And this is usually</p> <p>6 open file to the public.</p> <p>7 Q. Do you have a version of this?</p> <p>8 A. This, this was copied from my notes</p> <p>9 Q. Is your version the same size?</p> <p>10 A. No, it's about so big.</p> <p>11 Q. About two feet by three feet?</p> <p>12 A. Yeah.</p> <p>13 Q. Okay. So this is reduced?</p> <p>14 A. This is reduced down to page size, you</p> <p>15 can barely read it.</p> <p>16 Q. Let's turn, please, excuse me, to</p> <p>17 Exhibit 155.</p> <p>18 A. Okay.</p> <p>19 Q. For the record, that bears Bates</p> <p>20 3239 through 3241, it's three pages. And at the bottom</p> <p>21 it says pages 16 through 18. Do you have a version of</p> <p>22 this at home?</p> <p>23 A. This is a report I wrote for the</p> <p>24 Program in the beginning because I — and it's</p> <p>25 about — and also there was a question about</p>

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<p>130</p> <p>1 along the lines, I think, about mining on the 2 lands. Was there any mines on the allotments? 3 said, yes, there was. And this is, this is a 4 mining on the allotments in this big report for 5 RECA in 1995, or something like that.</p> <p>6 Q. Am I correct if I say that this is a 7 small portion of that larger report?</p> <p>8 A. That, that is correct, a small portion.</p> <p>9 Q. And that small portion relates to 10 Navajo allotments?</p> <p>11 A. Yeah, that was really to explain 12 document uranium production on the allotments 13 McKinley County, New Mexico.</p> <p>14 Q. In your files at home, is this all 15 together, or are these three pages —</p> <p>16 A. Ch, I have a complete report.</p> <p>17 Q. Right. But at home —</p> <p>18 A. Yeah.</p> <p>19 Q. — do you have these three pages out 20 or separated from the rest of the report?</p> <p>21 A. No. I just pulled this out of the 22 question about allotments, and all that came up in 23 the last deposition. I think, I think Window 24 has a — I think DOJ sent a copy of this to Window 25 but I don't know how much distribution it's ever had</p>	<p>132</p> <p>1 Q. And these are in your handwriting?</p> <p>2 A. Ch, yes.</p> <p>3 Q. And how did you compile these again 4 please?</p> <p>5 A. Mainly from getting data at Window 6 And when, when we were doing — at one time we 7 them — we were asked to make a dossier on each 8 operating mine in the United States. And then on 9 Flagstaff had to do all of Arizona. And that's 10 right, we had to know what mines were still, which 11 weren't valid, and sort of a little history of 12 mine. And that's why I started this card file</p> <p>13 Q. During what period of time did you 14 these cards?</p> <p>15 A. Ch, probably 1959 through 1962, '63.</p> <p>16 Q. What kind of records at Window did you 17 use to compile these cards?</p> <p>18 A. We talked to Mr. Denetson, and he had 19 all this stuff in his file and he just pulled it 20 Like that letter he wrote to Mr. Tiptone, he'd 21 send me this kind of information all the time. And 22 an exchange of information. I could tell him 23 mining where and drilling, and he would tell me 24 the new leases, and who was cancelling leases 25 permits, so.</p>
<p>131</p> <p>1 Q. Do you recall the name of any DOJ 2 that you worked with on the RECA?</p> <p>3 A. It would be Diane Spellberg, she's 4 assistant attorney in the RECA Program.</p> <p>5 Q. In DC or in Arizona?</p> <p>6 A. Ch, DC. 15 — 1425 New York Avenue 7 Northwest.</p> <p>8 Q. That would be it.</p> <p>9 A. I deal with those people about work 10 on questions.</p> <p>11 Q. Let's turn to Exhibit 156, please</p> <p>12 A. Ch, ho, ho.</p> <p>13 Q. And I'll just for the record that that 14 US CHEN 3242 through US CHEN 3321. Do you recognize 15 these?</p> <p>16 A. Now, this — I have a box, and that's 17 it last deposition, that I kept mining permits, the 18 history of the mining permits mainly from Carer 19 Lukachukai, Carrizo Mountains, parts of Navajo 20 Well, mostly — most all of the whole reservation 21 kept — that I got the data from Window, I kept 22 these little cards, and you — they — and it 23 requested I furnish to John last time to have 24 duplicated. So each of these is a little card that 25 that I kept. In our office in Flagstaff.</p>	<p>133</p> <p>1 Q. So was this based on information that 2 gave you?</p> <p>3 A. Yes.</p> <p>4 Q. You didn't actually look at these permits 5 leases to create these?</p> <p>6 A. No, I, I copied stuff out of books. 7 Or he would give me a letter, official letter, but 8 but.</p> <p>9 Q. So if there's a hundred cards here 10 that mean you reviewed a hundred letters?</p> <p>11 A. No, huh-uh. I know one thing from 12 him was a big, big — well, it would be today, 13 but —</p> <p>14 Q. A ledger?</p> <p>15 A. A big ledger book. No, he had a ledger 16 and he just photocopied it for me.</p> <p>17 Q. Okay. Do you know how he made the ledger?</p> <p>18 A. From the records they — the Tribal 19 had to approve every mining lease, and then it went 20 to the BIA. And so between the BIA and the Mining 21 Department, they had duplicate records of all kind 22 of stuff.</p> <p>23 Q. So — all right. Let's move to 157. 24 For the record, that Bates US CHEN 3321 through 3365 25 Do you recognize this?</p>

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<p>134</p> <p>1 A. Yeah, this is another thing I got at 2 Window Rock, much later. It was, it was in a police 3 they sent out to people who wanted to prospect 4 reservation in 1952.</p> <p>5 Q. When you say you got something at Window 6 Rock, are you —</p> <p>7 A. From the Mining Department.</p> <p>8 Q. Of the Tribe, Tribal Mining Department?</p> <p>9 A. Tribal Mining Department, yeah.</p> <p>10 Q. So you think you would have obtained it 11 you obtain Exhibit 157 from the Mining Department?</p> <p>12 A. Yes.</p> <p>13 Q. — of the Navajo?</p> <p>14 A. Yeah, probably from Mr. Denetsone.</p> <p>15 Q. Just looking at this doc — outside the 16 original of this document —</p> <p>17 A. Yeah —</p> <p>18 Q. — this notice?</p> <p>19 A. — it was really — it was for a 20 press release that the tribe put out to say that 21 wanted prospects.</p> <p>22 Q. As far as you recall, is this a 23 copy of it?</p> <p>24 A. Yes, it looks like it because it was 25 by Allan Harper, the director, the BIA Assistant,</p>	<p>136</p> <p>1 A. 304. Yeah, this is a different situation, 2 isn't it?</p> <p>3 Q. I was asking you.</p> <p>4 A. Oh, I know what this is. These are at 5 the bottom are numbers in a great big notebook. 6 They had, down there they had all these resolutions 7 actions of the tribal council all filed chronologically. 8 And somebody down at the bottom numbered them so 9 know where to get them. That number at the bottom 10 refers to a file number in the Mining Department. I 11 remember that.</p> <p>12 Q. Okay. And did you obtain these at 13 Window Rock?</p> <p>14 A. Yes.</p> <p>15 Q. What made you obtain these resolutions?</p> <p>16 A. Oh, wanted to know a little about the 17 history of mining permits, and all that, and the 18 schedules. Because the royalty schedule was 19 changing. And the tribe was also changing it to 20 encourage more prospecting and more mining.</p> <p>21 Q. Were there resolutions that you take 22 copies of that were down in that big book?</p> <p>23 A. I don't know. I, I can't really 24 because they gave me these.</p> <p>25 Q. Oh, they gave them to you?</p>
<p>135</p> <p>1 and Sam Ahkeeh, the Tribal Council Chairman.</p> <p>2 Q. Do you recall whether or not either of 3 you saw had any attachments?</p> <p>4 A. Apparently not, because I don't think.</p> <p>5 Q. Well, do you know — do you remember 6 there were —</p> <p>7 A. No —</p> <p>8 Q. — attachments</p> <p>9 A. — that's too long ago.</p> <p>10 Q. Your memory is superb. Iek'atloo 11 Exhibit 158, please. And for the records US CHEN 12 3326 through 3333. Do you recognize this?</p> <p>13 A. It's another document I got from the Navajo 14 Tribal Mining Department. They had this in their files 15 it was dated April 27, 1951. And it set by the 16 and then gave me the procedure for getting it, and 17 all that.</p> <p>18 Q. And you will notice on page 3330 looks 19 as though it's a different resolution. Do you 20 whether that's the case?</p> <p>21 A. On 33?</p> <p>22 Q. 30.</p> <p>23 A. 30, what, 30?</p> <p>24 Q. Yeah. At the bottom right is the 330. 25 It's also page 304 in the bottom center?</p>	<p>137</p> <p>1 A. Yeah, I didn't — they said here's 2 here's some history for you, or something like 3 Q. Gotcha. Let's look at Exhibit 158, 4 which for the record is US CHEN, and I can't find 5 It's clearly a photo of a reduced mine location. Do 6 you have the original in your files?</p> <p>7 A. I have, I have an old, beaten copy 8 like this. It's a map about so big by so big, 9 that.</p> <p>10 Q. Maybe two feet by four feet? or so</p> <p>11 A. Yeah. And my — the original is 12 lost in the D, in the stuff that AEC sent to USGS, I 13 think, because in the associate case that I was 14 for El Paso, they wanted to get a cleaner copy. But I think 15 and nobody could find a cleaner copy. But I think 16 the AEC released to the public. And I see it 17 preliminary map number 20. It just has mining it 18 has no production on it, and all that. But I think 19 that AEC draftsmen drew from maybe, I think from 20 the Cameron Mining Company map.</p> <p>21 Q. All right. And you still have that 22 version at home?</p> <p>23 A. Yeah, I have this one. You can see 24 paper's starting to oxidize pretty bad.</p> <p>25 Q. If you would please —</p>

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<p>138</p> <p>1 A. Oh, and then —</p> <p>2 Q. Go ahead.</p> <p>3 A. Bob Scarborough of the Arizona State</p> <p>4 this map and had it redrafted and added, his name</p> <p>5 and then he added all the known uranium ones that</p> <p>6 were never mined to his map.</p> <p>7 Q. Do you know where that map is filed?</p> <p>8 still exists?</p> <p>9 A. It's in my report on the Canistota</p> <p>10 we talked about the last deposition.</p> <p>11 Q. No, I mean Bob Scarborough's said origin</p> <p>12 A. It would be in the Arizona Geology</p> <p>13 Survey files in Tucson.</p> <p>14 Q. Let's look at Exhibit 161, please you</p> <p>15 recognize this?</p> <p>16 A. Yes, I do.</p> <p>17 Q. And that appears to be US CHEN 3336. What</p> <p>18 is this?</p> <p>19 A. This is another one of these maps</p> <p>20 maps that we put out, and this is, like it was in</p> <p>21 the lower, right-hand corner, this is — at the N</p> <p>22 Mining Department said they'd like to have a map of</p> <p>23 the Lukachukais where the mines are, and the map</p> <p>24 listed. And so this is something I put together —</p> <p>25 forget. I can't read the date here, but it's one</p>	<p>140</p> <p>1 about. Thanks, sir.</p> <p>2 Q. That's all I have on Exhibit 161. I just</p> <p>3 want to go back, if we could, to 158.</p> <p>4 A. 158?</p> <p>5 Q. Yeah. It's back a couple. If you so</p> <p>6 Those were those resolutions we talked about.</p> <p>7 A. My yellow sticky said permits, 195</p> <p>8 Q. Right.</p> <p>9 A. The resolution.</p> <p>10 Q. And I think you said these were top</p> <p>11 you by the, by somebody at Window Rock?</p> <p>12 A. Mining, Navajo Tribal Mining Dept.</p> <p>13 Q. Did you ever see the original these?</p> <p>14 A. This is what they pulled out of they</p> <p>15 had on file there.</p> <p>16 Q. So they gave you photo copies?</p> <p>17 A. Yeah.</p> <p>18 Q. Are these a complete version of what you</p> <p>19 were given?</p> <p>20 A. Yeah, I'm sure they are.</p> <p>21 Q. Now, finally, the moment we have waited</p> <p>22 for, Exhibit 161.</p> <p>23 A. 161.</p> <p>24 Q. We're on 161 now. Isn't that, Mr.</p> <p>25 Taylor.</p>
<p>139</p> <p>1 of the series of maps that I made as — from the</p> <p>2 AEC said we ought — if they requested this, he</p> <p>3 we ought to help them out. I just didn't do it</p> <p>4 the blue. They made a request for mine location</p> <p>5 the Window Rock mining people did, and then they</p> <p>6 one of the products of that request.</p> <p>7 Q. Do you have a larger version of it with</p> <p>8 here?</p> <p>9 A. Yeah, it's — I have a mylar copy so</p> <p>10 big and so big.</p> <p>11 Q. Two feet by three feet?</p> <p>12 A. Yeah, it's —</p> <p>13 DAVID A. TAYLOR: Excuse me</p> <p>14 A. And the time —</p> <p>15 DAVID A. TAYLOR: Pardon me</p> <p>16 Chenoweth. I have some confusion about this text that</p> <p>17 we're talking about now.</p> <p>18 ROBERT N. FOSTER: 161 is it</p> <p>19 DAVID A. TAYLOR: I thought</p> <p>20 ROBERT N. FOSTER: Did I ask?</p> <p>21 DAVID A. TAYLOR: — I think</p> <p>22 it's 160.</p> <p>23 ROBERT N. FOSTER: It is 160</p> <p>24 I wrote down the wrong number. Yes, this is 160</p> <p>25 160. And I apologize. And that's the one we're</p>	<p>141</p> <p>1 DAVID A. TAYLOR: I believe</p> <p>2 accurate.</p> <p>3 Q. All right. And just looking at Ex</p> <p>4 161, which is US CHEN 3336. Do you recognize t</p> <p>5 A. That's another one of these maps. It is</p> <p>6 preliminary map number 31.</p> <p>7 Q. Do you have a larger version of it ho</p> <p>8 A. Yeah, it's the same.</p> <p>9 Q. Some number of feet by some number of feet</p> <p>10 in size, is that right?</p> <p>11 A. Oh, I'd say three feet by four fe</p> <p>12 Q. And what does this represent?</p> <p>13 A. This is a map showing mine locations</p> <p>14 some basic geology and ore production of the AEC</p> <p>15 calls the Black Mountain locality, to the north of the</p> <p>16 map, the Rough Rock Locality in the northern part of the</p> <p>17 map. The Rough Rock Locality on mines. Northern</p> <p>18 formation. The Black Mountain Locality on mines. Northern</p> <p>19 mines in the Toriba Formation. T-o-r-a-i-d-a-h-w</p> <p>20 minute. T-o-r-e-b-a.</p> <p>21 Q. At top of this it says, Economic Geology.</p> <p>22 Do you see that? It's awful small print.</p> <p>23 A. Huh?</p> <p>24 Q. It says Economic Geology —</p> <p>25 A. Yeah.</p>

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<p style="text-align: right;">142</p> <p>1 Q. — at the top.</p> <p>2 A. I wrote that.</p> <p>3 Q. Is there something about this that</p> <p>4 reflects economy or economics?</p> <p>5 A. No. No, it means, it's just like</p> <p>6 the, a little bit of the history of areas and</p> <p>7 the, generally the geology, the deposits, really</p> <p>8 nothing to do with price or cost, it just has</p> <p>9 with the mining.</p> <p>10 Q. Let's move —</p> <p>11 A. Some editor probably put that in, I</p> <p>12 didn't. I don't remember doing it.</p> <p>13 Q. Just wanted to check. Let's move</p> <p>14 Exhibit 162, which is a record that begins</p> <p>15 3337 and ends at US CHEN 3343. I'm sorry, instead</p> <p>16 of 3343. And do you recognize this?</p> <p>17 A. Yeah, it another document about the</p> <p>18 regulations of the mining permits and the</p> <p>19 permits and royalties, and all that, that from the</p> <p>20 mining people at Window Rock.</p> <p>21 Q. Is this a complete copy of what was</p> <p>22 to you?</p> <p>23 A. Yes, I think so, because it goes</p> <p>24 1 through 4, and there's a signature of the</p> <p>25 Tribal Council.</p>	<p style="text-align: right;">144</p> <p>1 Do you see that? Do you recognize this?</p> <p>2 A. Oh, yes. This is another one of the</p> <p>3 documents. This is a later one, dated '61.</p> <p>4 Q. This was given to you by the —</p> <p>5 A. Yeah. Mainly because we wanted to</p> <p>6 on the royalty schedules.</p> <p>7 Q. Now, I notice that, for example, on</p> <p>8 these pages that's got regular text on it, it</p> <p>9 the number in the bottom like the other ones</p> <p>10 you know why there's no number here?</p> <p>11 A. No, I can't — no.</p> <p>12 Q. When these were given to you, did you</p> <p>13 Window Rock and say I would like some examples</p> <p>14 resolutions with royalty schedules?</p> <p>15 A. I think maybe I wanted to know what</p> <p>16 latest royalties were, because it's constantly</p> <p>17 See, this is interesting, because this has a</p> <p>18 ore schedule here on the this one page.</p> <p>19 Q. Right.</p> <p>20 A. On 346. And then they, because maybe</p> <p>21 because there was — it might be because of the</p> <p>22 being built at Cameron they put in another</p> <p>23 well, that wasn't — anyway, they put in a</p> <p>24 scheduled for upgraded ore. That would be</p> <p>25 put the Benson upgrader or the Monumental</p>
<p style="text-align: right;">143</p> <p>1 Q. Do you know why it includes documents</p> <p>2 that are entitled Arrendment?</p> <p>3 A. No.</p> <p>4 Q. Do you see that on the last page?</p> <p>5 A. Arrendment.</p> <p>6 Q. The last two pages of the exhibit?</p> <p>7 A. There's four. Oh, I see. Oh, yeah.</p> <p>8 There might have been some wording changes, I know.</p> <p>9 Q. Were these Arrendments given at the</p> <p>10 same time that you —</p> <p>11 A. Same time, I think so.</p> <p>12 Q. — received the resolutions?</p> <p>13 A. '52. Well, I can't tell. I just</p> <p>14 lot of these at one time and — I just</p> <p>15 Q. We've gone through now a number of</p> <p>16 different photo copies of resolutions, and you</p> <p>17 entitled resolutions. Did you get all of</p> <p>18 once —</p> <p>19 A. No.</p> <p>20 Q. — at Window Rock or from various</p> <p>21 A. Various times.</p> <p>22 Q. Before President Kennedy was</p> <p>23 A. Uh-huh.</p> <p>24 Q. Let's move on to 163, please. The</p> <p>25 record that begins US CHEN 3344 and ends</p>	<p style="text-align: right;">145</p> <p>1 Q. And that's now you're referring to</p> <p>2 3347?</p> <p>3 A. Yeah, yeah, it's upgraded ore.</p> <p>4 Q. Who determined the royalties</p> <p>5 ore, or the royalty percentage of mine value</p> <p>6 ton?</p> <p>7 A. I imagine it was some of the</p> <p>8 the Mining Department.</p> <p>9 Q. So —</p> <p>10 A. AEC didn't.</p> <p>11 Q. So is that why you had to get this</p> <p>12 information?</p> <p>13 A. Yeah, we wanted to know, we</p> <p>14 to —</p> <p>15 Q. Okay. Now, we turn to Exhibit 163</p> <p>16 is — just wondered if this came from your</p> <p>17 A. I've never seen this before.</p> <p>18 Q. Perfect. Let's move on to 165.</p> <p>19 that answer.</p> <p>20 A. It's Rocky Flats, Department of</p> <p>21 document. I don't know. I — this isn't mine</p> <p>22 Q. Okay. Let's turn to 165. 165 is</p> <p>23 through 3351. Do you recognize this?</p> <p>24 A. Yes, this is, this is, this is</p> <p>25 want to do exploration, you had to get a</p>

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<p>146</p> <p>1 Q. Okay. And this appears to be a bl</p> <p>2 A. Yeah. This is a form they'd use</p> <p>3 anybody that wanted to do exploration on</p> <p>4 without a mining permit, without a mining permi</p> <p>5 Q. Is this something that the Attorney</p> <p>6 Commission had to get before doing its —</p> <p>7 A. No.</p> <p>8 Q. — exploration in —</p> <p>9 A. No.</p> <p>10 Q. — the Navajo Nation?</p> <p>11 A. No, this is something they developed</p> <p>12 later during the big uranium boom, I think. It's</p> <p>13 something they passed out to everybody. If you</p> <p>14 in the office down there and ask about building,</p> <p>15 or something, well, they'd say well, you get a</p> <p>16 form, you have to fill out a form like this.</p> <p>17 Q. Do you have a copy of this in your</p> <p>18 files?</p> <p>19 A. Yeah, this is copied from mine.</p> <p>20 Q. Where did you get it?</p> <p>21 A. Window Rock.</p> <p>22 Q. Let's go to Exhibit 166, please you</p> <p>23 recognize this?</p> <p>24 A. This is a Bureau of Mines report, I</p> <p>25 have a copy of, and it's — the US Bureau of Mines</p>	<p>148</p> <p>1 DOE, we had to make an evaluation of the lease,</p> <p>2 and, and Climax had one of the lease blocks on the</p> <p>3 Mesa in Mesa County, and this had a lot of history</p> <p>4 of lease block up there.</p> <p>5 Q. Do you know the author of this by</p> <p>6 chance?</p> <p>7 A. Yeah, I know — I've met Mr. Dennis</p> <p>8 a mine engineer out of Washington D.C. And he</p> <p>9 photographer as a hobby and he, he came out and</p> <p>10 these reports and took all of these interesting</p> <p>11 pictures. And I know one time I wanted to use</p> <p>12 his pictures in a report, and I wrote to him he</p> <p>13 said, yeah, just give me credit for the photo</p> <p>14 lot of people use his photos without credit.</p> <p>15 probably passed away now. But he retired, I t</p> <p>16 in — oh, some place around Reston, Virginia.</p> <p>17 official name was Wil, not William, Wil Dare.</p> <p>18 Q. Let's look at Exhibit 167, please</p> <p>19 begins US CHEN 3391, ends at 3393. Do you</p> <p>20 (Phone disconnected.)</p> <p>21 JOHN DENNIS DUNN: This time</p> <p>22 approximately 1:54 and we're off the record.</p> <p>23 (A recess was taken from 1:54</p> <p>24 until 1:59 p.m.)</p> <p>25 JOHN DENNIS DUNN: This time</p>
<p>147</p> <p>1 a series of these kind of reports during the ur</p> <p>2 boom on different operations. They went to Cli</p> <p>3 Uranium and they, and they wrote this report on</p> <p>4 different Climax mines. One of them has to do</p> <p>5 be in the, happened to be in the Lukachulavi</p> <p>6 that's why we've talked about it in the past. I den</p> <p>7 The Frank Number 1 Mine on Mesa 4 1/2 is one of</p> <p>8 mines described in here.</p> <p>9 Q. Do you happen to have an original of this</p> <p>10 at your house?</p> <p>11 A. I have a photocopy that's not as good</p> <p>12 as good as an original. I loaned my original to</p> <p>13 lawyers one time and I never got it back.</p> <p>14 Q. But you've seen the original?</p> <p>15 A. Ch, yeah, I had the original at one time.</p> <p>16 And then I went down to the DOE library and they</p> <p>17 then make me a photocopy.</p> <p>18 Q. Is this a complete copy of it?</p> <p>19 A. I would say it is. Let's see.</p> <p>20 Q. So far as you can tell?</p> <p>21 A. As far as I can tell, it looks like</p> <p>22 Q. For the record, this is 3391 through 3392</p> <p>23 through 3390. What made you hang on to this</p> <p>24 report?</p> <p>25 A. Ch, because at one time, I had it with</p>	<p>149</p> <p>1 1:59 and we're on the record.</p> <p>2 Q. Okay. This is Exhibit 167, let's call</p> <p>3 call that your attention. It begins Bates 3381</p> <p>4 and it ends at 3393. Do you see that?</p> <p>5 A. Yes, I do.</p> <p>6 Q. Do you recognize it?</p> <p>7 A. Yeah, this is another one of these</p> <p>8 documents, especially dated in March of — or this</p> <p>9 dated — something's wrong here.</p> <p>10 Q. What's wrong?</p> <p>11 A. These are two different documents</p> <p>12 saying they were the same. This is a 1951</p> <p>13 '51 document about resolution — the Tribal Co</p> <p>14 affecting mining. And this one is a page something</p> <p>15 else. It's dated 12 of May '55. So somewhere</p> <p>16 collecting these and filing them together and</p> <p>17 mixed up, because this is, this is about the</p> <p>18 early resolutions about, it looks like about</p> <p>19 mining permits to non-Navajos.</p> <p>20 Q. And at the bottom it says 338 —</p> <p>21 A. Yeah, that would be out of the</p> <p>22 they had. And we went back to some other</p> <p>23 smaller number before. But this — the page 3</p> <p>24 wonder if it belongs in something back in the</p> <p>25 the '55 series, because it sure doesn't belong</p>

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<p>1 go with this one.</p> <p>2 Q. As far as you can tell, is page 33 3 complete version of what was given to you?</p> <p>4 A. Yeah, it does, because it's signed by 5 Sam Ahkeah, the Tribal Council Chairman.</p> <p>6 Q. Look at Exhibit 168, please. For 7 record, it is pages 3394 through 3401. Recognize 8 this?</p> <p>9 A. Yes.</p> <p>10 Q. And you're the author, right?</p> <p>11 A. Yeah, I'm the author. The reason is, 12 this is something I brought to my deposition in 13 January. We're talking about occurrence B, then 14 the Navajo priority list, and this is my, this 15 description of, of — when I went to find occurrence B 16 and my results, so. This is about Zhealy Tso's 17 prospect over by Chinle, Arizona and somebody 18 occurrence — on occurrence A and occurrence B's 19 mining permit, so. I don't understand why it was 20 that such a high occurrence to be evaluated, what 21 found, from what I saw in 19 — whenever it was 22 there. Anyway, when was I over there. It would 23 have been, it probably would have been about 1 24 Anyway, this, this is all I know about occurrence B 25 is on their number 1 priority list.</p>	<p>152</p> <p>1 stole his ore and he never got paid for it so he 2 made a big stink to the AEC, bring a big official 3 complaint to the AEC, and he's a Navajo official 4 better look into it. So one of my co-workers 5 Gray, G-r-a-y, went over there, looked at it, and 6 the ore, the ore was never shipped, it was just up 7 on his property there and it was too low grade 8 economic.</p> <p>9 And Zhealy Tso didn't believe it. 10 I — they sent me back a year or so later, so he 11 even went to the Governor of Arizona and a compl. 12 And the Arizona mine inspectors, I don't think 13 wanted to get involved.</p> <p>14 Anyway, to make a long story short, this is 15 a summary of my report to the AEC about the lead 16 missing ore shipment from Mr. Tso's mining per. 17 And when I went over there, the USGS had found 18 occurrence A and an occurrence B off his permits, 19 and I looked at them. And it just happens that 20 appears now on EP — on Navajo priority list. 21 and I don't understand it, but.</p> <p>22 Q. Do you recall when this, for lack 23 better term, controversy arose between —</p> <p>24 A. Yeah, it's right here in that's she. 25 dah, dah, dah, dah. Oh, what — he said it was —</p>
<p>151</p> <p>1 Q. Okay.</p> <p>2 A. And it's a complete record, because 3 that's the map in the back.</p> <p>4 Q. There's only one in the back?</p> <p>5 A. Yeah.</p> <p>6 Q. The bottom center, beginning section 7 page of the exhibit, but maybe the first page of 8 report, there's handwritten page numbers that your 9 handwriting?</p> <p>10 A. Yeah, uh-huh.</p> <p>11 Q. Okay.</p> <p>12 A. Apparently, apparently the edit the 13 Arizona Geological Survey never — no, those is, 14 those are not mine, those are — the edit the 15 Arizona Geological Survey must have added, because 16 that's not my writing.</p> <p>17 Q. Do you know if this was published, or 18 or accepted by them, or whatever term they use</p> <p>19 A. They, they released it to the public in 20 January of 1990. And this, sent me back, and 21 they should have sent a copy to Window Rock, b 22 Q. Do you recall why you wrote this 23 report?</p> <p>24 A. Yeah, Zhealy Tso was a Navajo official 25 he always claimed that Arizona Giant Mining Co</p>	<p>153</p> <p>1 see, Arizona Giant Mining Company got their min 2 permit in June of 1955, and they drilled there, 3 and Mr. Ron Roy was — was it — it was Charles E. 4 not Gray, Chuck Evesen, E-v-e-s-e-n, he went and 5 examined it. And then later Gray went over and 6 it. And when did I go over. Anyway. There was a 7 big concern about his ore being stolen and the AEC 8 said that he didn't show up in any mill records or 9 buying station records. And we all, the geologists 10 the ore was still sitting there on his property 11 was low grade to ship, but he didn't believe it, 12 and so I was over in 1959, is when I was there</p> <p>13 Q. Okay. And could you look at page 14 A. Anyway, it was a big controversy in 15 our opinion. But he wouldn't believe, he would 16 believe that the ore was not shipped because it 17 low grade.</p> <p>18 Q. Was, as you recall, was the ore that the 19 ore wasn't shipped, or was there a dispute the 20 grade of the, the grade of the material?</p> <p>21 A. I'm sure the mining company figured 22 that they weren't going to spend money hauling it 23 over to Tuba City and not paid for it, so they 24 abandoned the property. But he always thought 25 shipped some place and not paid for. But a Navajo</p>

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<p>1 official, a lot of time and effort was on display.</p> <p>2 Q. Now, if you look at the Appendix, is</p> <p>3 on page 3400.</p> <p>4 A. Uh-huh.</p> <p>5 Q. So you have to go back, I think, o</p> <p>6 3400, you have to go back a page in your book that's</p> <p>7 the Appendix that has the four tables. It table</p> <p>8 showing the analytical for Occurrence A and Occ</p> <p>9 B.</p> <p>10 A. Ch, yeah. A lot of these okay,</p> <p>11 Appendix.</p> <p>12 Q. And can you tell from that whether</p> <p>13 it says Appendix when these samples were taken? I</p> <p>14 read it as 1978.</p> <p>15 A. These were USGS samples collected in 1978</p> <p>16 says here in 1978 by Bob Thaden, who wrote the</p> <p>17 report on this, on — well, this is part of the</p> <p>18 the DOE's NURE program, National Uranium Resource</p> <p>19 program, and the USGS was assigned this task to</p> <p>20 to evaluate, and Bob Thaden, who I knew personally</p> <p>21 Tso, and took a lot of samples, and this is out of</p> <p>22 his report that was published in 1982.</p> <p>23 Q. So if I said that these samples taken</p> <p>24 in 1978, does that seem right to you?</p> <p>25 A. Apparently so, yeah.</p>	<p>154</p>
<p>1 is on here. Because this is an original, I got</p> <p>2 from a used book store, because I wanted a copy</p> <p>3 in my files. And I never got my original that Wil</p> <p>4 Dare gave me.</p> <p>5 Q. Is this Exhibit 169 a true and correct</p> <p>6 copy of the original, as you know it?</p> <p>7 A. Ch, yeah. Let' see. Yes, because</p> <p>8 it's got the Government Printing Office stamp a</p> <p>9 bottom, which shows that's the last page.</p> <p>10 Q. On page 3436?</p> <p>11 A. Yeah, 3436.</p> <p>12 ROBERT N. FOSTER: I think I</p> <p>13 but just give me a minute to talk to my client and</p> <p>14 go off the record.</p> <p>15 JOHN DENNIS DUNN: Okay, to let</p> <p>16 you know, we only have five minutes left of the</p> <p>17 ROBERT N. FOSTER: Might as</p> <p>18 change it.</p> <p>19 JOHN DENNIS DUNN: You got the</p> <p>20 time is approximately 2:11. This is the end of</p> <p>21 number 4 in the deposition of William Chenoweth, re</p> <p>22 going off the record to change tapes.</p> <p>23 (A recess was taken from 2:11</p> <p>24 until 2:20 p.m.)</p> <p>25 JOHN DENNIS DUNN: We are o</p>	<p>155</p>
<p>1 Q. Let's move to Exhibit —</p> <p>2 A. And see there's Appendix B that clearly</p> <p>3 has any uranium in it. And that's what I found in</p> <p>4 all confused about why EPA says it's a high level</p> <p>5 Q. Let's look at Exhibit 169, please that</p> <p>6 the same W. L. Dare that you talked about earlier</p> <p>7 wrote this?</p> <p>8 A. Yeah, this is Wil Dare's — er, another</p> <p>9 he wrote several of these reports all over the</p> <p>10 Corners area. And, and Kerr-McGee agreed to share</p> <p>11 with him and open up all the files and files and</p> <p>12 everything to him. And I think it's a, very good</p> <p>13 report on the Lukachukais.</p> <p>14 Q. Let me just note for the record that</p> <p>15 exhibit US CHEN 3402 through 3436. If you just</p> <p>16 take a minute and flip through it and tell me</p> <p>17 is — well, have you seen the original of this</p> <p>18 A. Yeah, I had, I had the original that</p> <p>19 I — I think maybe Wil Dare gave to it, the original</p> <p>20 report, and then I loaned to some Kerr-McGee and</p> <p>21 never got it back. And so eventually I saw that</p> <p>22 listed in a catalog of out-of-date Bureau of M</p> <p>23 Reports, and I ordered for a couple bucks, or five</p> <p>24 bucks, or something. And, see, it was with the</p> <p>25 the University of Idaho Library, that's all right.</p>	<p>156</p>
<p>1 Q. Let's move to Exhibit —</p> <p>2 A. And see there's Appendix B that clearly</p> <p>3 has any uranium in it. And that's what I found in</p> <p>4 all confused about why EPA says it's a high level</p> <p>5 Q. Let's look at Exhibit 169, please that</p> <p>6 the same W. L. Dare that you talked about earlier</p> <p>7 wrote this?</p> <p>8 A. Yeah, this is Wil Dare's — er, another</p> <p>9 he wrote several of these reports all over the</p> <p>10 Corners area. And, and Kerr-McGee agreed to share</p> <p>11 with him and open up all the files and files and</p> <p>12 everything to him. And I think it's a, very good</p> <p>13 report on the Lukachukais.</p> <p>14 Q. Let me just note for the record that</p> <p>15 exhibit US CHEN 3402 through 3436. If you just</p> <p>16 take a minute and flip through it and tell me</p> <p>17 is — well, have you seen the original of this</p> <p>18 A. Yeah, I had, I had the original that</p> <p>19 I — I think maybe Wil Dare gave to it, the original</p> <p>20 report, and then I loaned to some Kerr-McGee and</p> <p>21 never got it back. And so eventually I saw that</p> <p>22 listed in a catalog of out-of-date Bureau of M</p> <p>23 Reports, and I ordered for a couple bucks, or five</p> <p>24 bucks, or something. And, see, it was with the</p> <p>25 the University of Idaho Library, that's all right.</p>	<p>157</p>

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<p>158</p> <p>1 Q. Sizing, which is screening or 2 classification. 3 A. Uh-huh. 4 Q. Concentration, which can be physical 5 chemical. 6 A. Uh-huh. 7 Q. And de-watering, which is solid liquid 8 separation. Would you agree that's a — 9 A. Yes. 10 Q. — reasonable definition of spring 11 A. Uh-huh. 12 Q. And can you maybe share for the t 13 extent you're familiar, some of the ways with that, in 14 your experience, would reduce the size of loss of 15 ore during their mining. What type of equipment how 16 would they do it? 17 A. Now, what? How would — 18 Q. My question is, the first sign of 19 processing, comminution, which is particle siz 20 reduction. 21 A. Uh-huh. 22 Q. How did the miners do that in the 23 your experience, in the 1950s? 24 A. They really didn't do much to the 25 well, the ore would be blasted, or dug up there</p>	<p>160</p> <p>1 Q. Did they start out staking claims? 2 A. Yeah. Now, I see what you — first 3 of all, they'd, they'd either be on a claiming 4 permits, or they could have just got a drilling 5 and they'd go out and drill. And, hopefully they 6 found something on their wide-space drilling, t 7 they'd close in and drill it out and do develop 8 drilling. And engineers would take all this data 9 data, would, would figure out the depth and size of 10 this ore body, and this ore body. And they'd 11 analysis. 12 And then they would, after that g 13 figured out, it would be economic, and little at 14 stripping cost, what it would cost to remove t 15 overburden. And this was usually done by tractor, 16 like West Cargo or SS Mullen, or — those there or 17 let's see. Those were the two big ones. They'd 18 contract and then they would strip, strip off 19 overburden and get down to the ore. 20 And then the company would ask and 21 they would probably go out there and make find find 22 in the pit to see exactly if the ore body was 23 calculated by the, before stripping very little. 24 And then, and then they'd start with either the, 25 or something like that, and start mining out there</p>
<p>159</p> <p>1 would be all different sizes. But I, I think t 2 miners really paid much attention to the size 3 the — the mill wouldn't want a great big boulder 4 boulder, they wouldn't want to ship that and they 5 did break it up in the, in the — if it was har 6 sandstone, they would break it up into little 7 pieces. But I don't think, because they know 8 was going to crush it anyway, the miner really 9 pay much attention to the size, except they must 10 have had an idea they couldn't have a great boulder 11 Q. And that was, I think you just one 12 thing I was going to ask, which is: Is that as 13 crusher one example of comminution, or particle 14 reduction? 15 A. Well, I never saw a crusher at there. 16 Q. But if one did use a crusher, is that 17 for particle size reduction? 18 A. Yeah, that would be at the mill. 19 Q. Okay. 20 A. Or ore buying station. 21 Q. I wonder if you could walk out there 22 what the miners typically did in developing surface 23 pit mine. When they first came out to the mill 24 the very end when they were done mining. 25 A. Okay.</p>	<p>161</p> <p>1 hauling it up. 2 And after it got the area off the ground 3 out, if there was any ore outside of the pit might 4 think about going into adits, driving a drill the 5 pit wall out to get this ore. 6 But removing the overburden was you 7 done by a stripping contractor that specifically get 8 paid so much a, so much a cubic yard to take and 9 they'd figure out, the engineers would figure out 10 many cubic yards of ore to base the contract o 11 And once they got out the ore there 12 really up to the company people to, using Geig 13 counters, and that, to see where the ore was then, 14 and then they'd, a little mine they'd use front 15 end loaders, and in the big mine they'd use big 16 front end loader and load up dump trucks to haul, 17 to haul the ore out. 18 Most of the mines at Cameron west — 19 were using small trucks to get the ore to the pit. 20 And then they'd take the ore and maybe dump it 21 the surface here until they got a bigger road to 22 the mill. 23 Q. So if I had shown up at one of sites 24 in the 1950s, what, what typical features was there? 25 Would there be an active face of the pit —</p>

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<p style="text-align: right;">162</p> <p>1 A. Yeah.</p> <p>2 Q. — where they were scooping?</p> <p>3 A. Yeah, scooping it out and hauling</p> <p>4 for —</p> <p>5 Q. And then would there be some type</p> <p>6 overburden or waste, rock pile?</p> <p>7 A. Oh, the, the stripping from that all</p> <p>8 be dumped out to the side.</p> <p>9 Q. And the average ratio, I think in</p> <p>10 Cameron, was about 13 feet to one foot of ore?</p> <p>11 A. Yeah, in some of the deeper, yeah.</p> <p>12 Q. So it was fairly common to see an</p> <p>13 overburden —</p> <p>14 A. Quite a pile, yeah. Like in these</p> <p>15 pictures of mine you copied, the Jack Daniels see</p> <p>16 all that white stuff laying around the pits till</p> <p>17 the overburden they took off that pit. And then</p> <p>18 they — low grade material and waste rock piled</p> <p>19 in another little pile, hoping that they would go</p> <p>20 up, or something, they could use it, or with</p> <p>21 higher grade material.</p> <p>22 Q. And is it fair to say all of these</p> <p>23 strip mines in the Cameron had a waste rock pi</p> <p>24 A. Ch, absolutely, waste rock was usu</p> <p>25 overburden. Some of it got all mixed together</p>	<p style="text-align: right;">164</p> <p>1 the mill. They didn't really have to — I think</p> <p>2 they really had to accept anything real low if</p> <p>3 didn't want to, but that was, that was the end of</p> <p>4 the AEC pay scale. I mean pay schedule.</p> <p>5 Q. So AEC would negotiate with the mi</p> <p>6 contractor some type of contract that would have</p> <p>7 cutoff?</p> <p>8 A. No, I think the cutoff was actually</p> <p>9 the mill. If they didn't want to take low grade</p> <p>10 didn't have to. AEC didn't make them, I don't</p> <p>11 really don't know much about mill contracts, know</p> <p>12 the miners at Cameron, like I said, they're al</p> <p>13 independent, like Blakemore, and some of these</p> <p>14 they, they said no, we can't, we can't even</p> <p>15 won't take anything about, below, 18 hundred</p> <p>16 something like that. But the ore buying station</p> <p>17 buying stations, they took everything, way below</p> <p>18 point, .12, .10.</p> <p>19 Q. Even at Tuba City?</p> <p>20 A. I imagine the ore buying station at Tuba</p> <p>21 City did take the real low grade stuff, because</p> <p>22 an AEC ore buying station, not a Rare Metals</p> <p>23 don't —</p> <p>24 Q. And I've read about another official</p> <p>25 that — or mill — another type of mine in there</p>
<p style="text-align: right;">163</p> <p>1 Q. And you mentioned holding low grad</p> <p>2 material and wondering if the price would change</p> <p>3 A. Yeah.</p> <p>4 Q. So the AEC specified material had to be</p> <p>5 or greater to be sent —</p> <p>6 A. Tuba City Mill wanted stuff at .17</p> <p>7 So they had maybe some .17 they might hold that</p> <p>8 they got some .13 and blend it together.</p> <p>9 Q. What would happen if — I imagine</p> <p>10 towards the end of the life of a mine it would</p> <p>11 possible that there's not enough high material to</p> <p>12 it up.</p> <p>13 A. True.</p> <p>14 Q. So you'd have a pile that's less</p> <p>15 something lying than .2?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And that would then be waste rock</p> <p>18 A. Waste rock. It would be called, but</p> <p>19 it would still be, have uranium minerals in it</p> <p>20 wouldn't be completely barren rock, I mean.</p> <p>21 Q. And do you know why AEC set at .2?</p> <p>22 the —</p> <p>23 A. No, at Tuba — it was — Rare Metals</p> <p>24 their mill would work more efficiently if they</p> <p>25 keep their heads, the mill heads at .2. And to</p>	<p style="text-align: right;">165</p> <p>1 the sense that some of these mines were largely</p> <p>2 petrified wood?</p> <p>3 A. Yeah.</p> <p>4 Q. And so the majority, or able of</p> <p>5 material taken from a location where an anomaly</p> <p>6 detected, could have been petrified logs?</p> <p>7 A. Well, yeah. They weren't really h</p> <p>8 petrified wood, they weren't, you know, petrified</p> <p>9 had a lot of quartz in them, but they weren't solid</p> <p>10 quartz. A lot of carbonized material, and that</p> <p>11 And, yeah, then they'd get a few logs, some would</p> <p>12 be so big, or maybe 12 inches in diameter, and</p> <p>13 they'd be broken up, maybe three feet long, and</p> <p>14 uranium — I don't mean pure uranium. Uranium</p> <p>15 or a uranium material in it, because they had</p> <p>16 mill had to replace the organic material that</p> <p>17 been petrified yet. Some logs — that was it.</p> <p>18 could find a log that would be completely petrified,</p> <p>19 hard, petrified, and maybe a few feet away from</p> <p>20 one that was almost all replaced by uranium, and</p> <p>21 carbonized, it was — and John said, you could tell</p> <p>22 us what happened. I don't know why it's petrified</p> <p>23 just the way nature is. One log would be petrified,</p> <p>24 solidified, and one won't, it will be carbonized</p> <p>25 Q. So what would a, this type of situation</p>

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<p style="text-align: right;">166</p> <p>1 look like when the anomaly — there's any anomaly 2 detected, they go out to field, logs like exists 3 Is the only target of the mining these logs, or 4 A. Well, they, they — in some of hills, these 5 these little back lined hills were kind of old 6 petrified wood, and some of them were mine, some 7 of them weren't. But the vast majority are — 8 Carreron that I saw were more bedded deposits on 9 carbonized — in these old river channels, they lot 10 of organic debris, and that was in the sandstone 11 they'd be halos around these, all this organic material 12 even sandstone, and make really a bed, not a single 13 log, but a big halo around the log, or a patch 14 branches and trees — branches and leaves things 15 like that. A lot of car — the carbonaceous material in 16 the sandstone was the precipitant. The organic material 17 was the major, in my opinion, was the major precipitant 18 of what I saw. 19 Q. We also discussed during the last days 20 and again today, that — okay. And so I'd like 21 you to go through, also to the extent you know the 22 typical features of an underground mine would the 23 1950s when you would visit those. What would be at 24 the mine site, at the mine features? 25 A. Well, these mines go in, not so much</p>	<p style="text-align: right;">168</p> <p>1 and bring it in the mine. And then, and just to 2 to keep the rocks from falling down, because with 3 but it wasn't like a coal mine, room and pillar 4 that. They'd mine here, mine here, and mine here 5 and connect these all with little drifts and 6 all around. 7 And they'd, the miners would come in 8 the mines they find the ore body here, they'd dig 9 over and dump it down an ore path. And sometime 10 they'd — if it was a big ore body over here, they'd have 11 a slusher, that's like a little bucket on a rail, and 12 they'd be pulling the ore over and back up the ore 13 over other and slushing the ore over and dropping 14 down the ore path. 15 Q. Did these mines also create waste rock? 16 how did that work? 17 A. What? 18 Q. In the case of an underground mine, would 19 the miner also have waste rock? 20 A. Oh, yeah, because when the material 21 would always have to be pulled — and most of the 22 reservation, underground mines, they'd create a 23 only be two thick and they're mining six feet, you'd 24 have the upper waste rock. And it was done 25 that out and dump it over the cliff.</p>
<p style="text-align: right;">167</p> <p>1 Ambrosia, but like deep shafts, but the mines at the 2 Carrizos, they did in the Lukachukais and Monum 3 Valley — well, no, those were open pits, not that 4 anyway, it would be like a tunnel going there 5 would be a lot of timbering, like you see in the 6 Kerr-McGee report there that Wil Dare did, of lo 7 timbering — well, first of all — well, I'm going 8 ahead of myself. You have a lower level, which 9 haulage level, they'd drive the haulage level 10 and put a little train track in, and all that. 11 And then they'd get up above it, and 12 another — where the ore level was, and they'd 13 mining that out and dropping it down an ore 14 the, into the lower level to load the little to 15 take out. 16 And there would be a big rock here 17 called a stope, and there'd be another one here 18 And it was just, like those maps showed, there 19 big area here mined out, one over here and one 20 here. And there would be a tunnel connecting and 21 crosscuts going out to these other ones, so. 22 And because of the soft sandstone, there'd 23 be a lot of timber used to prop up the, like the 24 top of the mine. And they, the Navajo miners, 25 they'd cut that timber up in the Lukachukais,</p>	<p style="text-align: right;">169</p> <p>1 If it was a mined out part of the 2 they'd put it back and backfill the mine that 3 wasn't as common as hauling it out and dumping 4 the cliff. 5 So you always would — you never you 6 never — rarely, I don't think I've ever seen 7 ore in any of the mines on the Lukachukais that 8 waste rock above the ore had to be moved out the 9 ore. 10 And sometimes the miners would do that 11 double shooting. That means — which is expensive 12 you had two feet of ore here, or four or maybe 13 two feet of waste rock up here. Well, to get 14 ore they'd have to blast all this out first, this 15 out. So they'd have to blast this out and 16 muck that all out and dump it over the cliff, then 17 go in here and mine the ore and put that in the 18 So that was called double shooting, and that was 19 expensive, but it had to be done to keep the ore 20 being too diluted by the waste rock. If you put 21 all together, it probably wouldn't make sense, it 22 wouldn't be economic. 23 Q. So was it your experience that the 24 underground mines on the Navajo Nation had a w 25 rock —</p>

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<p style="text-align: right;">170</p> <p>1 A. Ch, yeah.</p> <p>2 Q. — generation? And did that waste do</p> <p>3 you know whether that waste rock contained some</p> <p>4 radioactivity?</p> <p>5 A. Ch, I'm sure it did, because uranium</p> <p>6 doesn't have a good cutoff between zero and the</p> <p>7 hydro — and uranium ore, there's kind of a dial —</p> <p>8 and then the — and the Navajo miners got good at</p> <p>9 using their eyeballs to determine what should be</p> <p>10 and what shouldn't be.</p> <p>11 Q. So is it fair to say that whether it was</p> <p>12 surface or an underground mine, you necessarily</p> <p>13 generated some form of waste product?</p> <p>14 A. Ch, yeah. And Barro Mines too, I've</p> <p>15 I've seen, for every — not down on the at once, but</p> <p>16 I think around certain mines of Union Carbide</p> <p>17 Utravan, that for — what was it. In a big Carbide</p> <p>18 mine, for every ton of ore they got three tons of waste</p> <p>19 rock, or something like that. They made a lot of</p> <p>20 of this. And it wasn't just one to one in some</p> <p>21 than that, because they always had — if it was</p> <p>22 thin, you had more waste than you did ore.</p> <p>23 Q. And that was — the waste, as you</p> <p>24 described —</p> <p>25 A. Would go out —</p>	<p style="text-align: right;">172</p> <p>1 Q. And if AEC would rim strip, that would</p> <p>2 involve —</p> <p>3 A. Yeah.</p> <p>4 Q. — generation of waste rock.</p> <p>5 A. Like all this — all that rotting</p> <p>6 we did out in the sand flats at, at the north of</p> <p>7 Carrizos, you know, we might drill a hundred feet</p> <p>8 might be two feet of uranium — there might be one</p> <p>9 pod. And the drilling companies would drill foot</p> <p>10 samples of rock chips and lay them out on the</p> <p>11 us. And I know that the gamma ray logs would show</p> <p>12 all barren rock, it would show some weakly mineralized</p> <p>13 rock in the ore zone. But all those little bits of</p> <p>14 that weakly mineralized zone we laid on the ground is</p> <p>15 probably still there today. But it's all been</p> <p>16 covered over by sheep and cattle and knocked over,</p> <p>17 and all that.</p> <p>18 Q. And where rim stripping occurred</p> <p>19 A. The same thing. Yeah, they strip it,</p> <p>20 I'm sure all that old, well-oxidized weathered material</p> <p>21 on the surface got pushed off to the side and you could</p> <p>22 get a good face of what was in the hill. It's the same</p> <p>23 Q. And I'm not sure we covered all this time,</p> <p>24 but to the extent after rim stripping, AEC or</p> <p>25 Walker-Lyberger used a bulldozer to blaze a path</p>
<p style="text-align: right;">171</p> <p>1 Q. — it always contained uranium —</p> <p>2 A. Yeah.</p> <p>3 Q. — and radioactivity, just all over</p> <p>4 typically?</p> <p>5 A. Yeah, it would be very — maybe in a</p> <p>6 a pod here and a pod over here, and you had to</p> <p>7 over to get it, that might be a hundred paces or</p> <p>8 almost barren rock in between. But a, but that</p> <p>9 would be very rare to have it completely barren</p> <p>10 uranium.</p> <p>11 When the price went up in the '70s, I</p> <p>12 know at Union Carbide mines there at Utravan went</p> <p>13 out and did dumpology. They went out and started</p> <p>14 of some of these mine dumps and actually started</p> <p>15 picking over mine dumps because the stuff the price</p> <p>16 went way up, so anything that was thrown away</p> <p>17 shipped to Utravan. That was dumpology for years.</p> <p>18 Q. So last time we got together with you</p> <p>19 through the O'Rear report, and we covered a few</p> <p>20 activities that I think you told us also could</p> <p>21 involve some type of waste rock or material with</p> <p>22 uranium. So for instance, when AEC was asking,</p> <p>23 whether by core or rotary or drilling, that if there</p> <p>24 be material with uranium present; is that right?</p> <p>25 A. Yeah.</p>	<p style="text-align: right;">173</p> <p>1 drill pads, would that also have moved around</p> <p>2 with uranium?</p> <p>3 A. Yeah, if it was rim stripping, the</p> <p>4 probably wouldn't be any drilling nearby, know I</p> <p>5 the, the AEC drilling contractors would, would clear</p> <p>6 area out, smooth out all the hills, push the area</p> <p>7 for drill pad. That was all very common in the</p> <p>8 Carrizos.</p> <p>9 Q. And given all the activities in the</p> <p>10 that were generating material with uranium, is</p> <p>11 possible that those —</p> <p>12 A. The drill loads wouldn't be so bad</p> <p>13 would be overburden. On Tin Cup Mesa where we</p> <p>14 east Carrizos where we did a lot of drilling, you</p> <p>15 here's a big mesa, and VCA had mines all the way</p> <p>16 edge, and so the AEC said, well, we'll just</p> <p>17 drill it on this mesa. And they found a hole on</p> <p>18 Eugene Topahonsa's mining permit. And all those</p> <p>19 drill roads put on that mesa top knocking down</p> <p>20 sagebrush, and all that, never touched any uranium</p> <p>21 because it was, the ore was at about a hundred feet</p> <p>22 they had a hundred feet of barren rock to dig to</p> <p>23 get to the ore, so. So those drill roads, didn't</p> <p>24 do anything but just push some sagebrush and bushes</p> <p>25 around.</p>

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<p>174</p> <p>1 Q. So a minute ago we talked about, y 2 thought you remembered at the buying station 3 not have accepted ore below .1 percent. 4 A. Uh-huh. 5 Q. And so was it your experience that 6 operator, at that time, in the '50s, if they found 7 ore below .1, or ran out of ore that was higher 8 what was left was at .1 or less, what would the 9 would they just leave it at the site? 10 A. Yeah, usually. You know, remember 11 Doug — Globe Air, Globe Air, Globe Air, buying 12 station, a man over in Yuma County, Arizona, this 13 ore in there, and they assayed it and said that 14 would only go .03. And he came back with trucks and 15 hauled back to Yuma because he thought it was the 16 the government to steal it from him. And other 17 cases they'd just leave it there, and when they sold 18 the stockpile, somebody took it, you know. 19 Q. I think you mentioned — 20 A. And then the AEC had to go in and claim 21 all these ore buying stations that were connected to 22 mills, like the one at Globe and the one at Wh 23 Canyon, and they had to take all that ore and soil 24 where the ore had been stockpiled and get rid of it and 25 all that. So the AEC did reclaim their ore buying</p>	<p>176</p> <p>1 you had a P number. 2 And I know Kerr-McGee would do the work 3 Navajos, the independent Navajos to do the work 4 to get P numbers for them. And on the mill, the 5 that is a piece of paper that the mill submit to AEC 6 every month showing who shipped, who was going 7 to pay for it, and the name after of the state, and 8 county, and all that. And they had to have it 9 in there. And they would not accept unless it 10 didn't have a P number. 11 And, and I've seen something like that. I 12 was involved in once where, up in Wyoming, I think it 13 was, that this letter they got from the AEC, of 14 Licensing in Washington DC listed the group and 15 listed all the claims, the names of his claims 16 was — that the P number covered. But that's 17 and it would say, you know, this claim number 18 area and this area and this area. So, so that'll 19 done by Washington DC. 20 And in these little books that AEC and 21 USGS had put out, Prospecting in the County, or 22 something like that, there's a little chapter 23 this is where you apply to get a P number then 24 were — and one time I saw a list of maybe the 200 25 P numbers, who they were issued to. But there</p>
<p>175</p> <p>1 stations not connected with mills. 2 Q. I think you mentioned last time we 3 together that some of the operators would dig 4 counters on the fresh face or the piles and dig 5 whether they were above or below .1? 6 A. Uh-huh. 7 Q. Is that right? 8 A. That's right. 9 Q. And so if an operator was taking t 10 approach, at some point they would realize the 11 was below .1. 12 A. Uh-huh. 13 Q. And was it your experience that types 14 of operators would then just leave piles of 15 A. Yeah, they'd leave piles there and 16 was, they thought they could blend it with 17 later. But usually it's just left there. 18 Q. Can you walk me through how the s 19 material licenses worked? Do you know much about 20 program? 21 A. I know that you had to get had to 22 apply for source materials license to AEC in 23 headquarters, in Washington DC and you got 24 and that P stand for prospector, I think you could 25 not sell ore to a mill or an ore buying station</p>	<p>177</p> <p>1 were thousands of P numbers issued. 2 Q. And — 3 A. And I was told that you, legally you 4 not remove uranium bearing materials from the area 5 to take a shovel and put it in a wheelbarrow via P 6 number. 7 Q. Was it your understanding this was 8 the United States was the only purchaser? 9 A. Yeah. Or it strategic material and 10 controlled with all the secrecy and the AEC 11 all that. I — 12 Q. So in order to know that there was 13 getting every ounce of uranium, someone had 14 from the time it was generated until it was mi 15 A. Yeah, uh-huh. But then, then when 16 along the line they, they went away with the P 17 been told by someone. I guess that's what the 18 Regulatory took over from the AE — when the A 19 abolished into the Nuclear Regulatory Commis 20 ERDA, that's when they did away with P numbers 21 been told, something like that, because the 22 that came on, came on later in the program, the 23 AEC, didn't have to have P numbers. 24 Q. Were you aware of anyone having 25 for a P number denied?</p>

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<p>178</p> <p>1 A. Oh, I don't know anything about th</p> <p>2 Q. And —</p> <p>3 A. You didn't have to produce one chain</p> <p>4 was, that was what promoters used to use. I'd say a</p> <p>5 P number for a bunch of claims in San Juan. I'd</p> <p>6 they'd say — and they'd try to get money out of the P</p> <p>7 number in these claims out here, we need some</p> <p>8 in our company. The P numbers were used for the</p> <p>9 purpose, I know. I've been told that, I didn't get</p> <p>10 involved.</p> <p>11 Q. What was your understanding of that</p> <p>12 what point in time, from when one was first set out</p> <p>13 of the ground until it was sent to the mill, and</p> <p>14 at what point in that process was it your understanding</p> <p>15 that the government would claim it had an interest</p> <p>16 that uranium?</p> <p>17 A. With the P number you're talking about</p> <p>18 it. They really didn't have an interest, I don't</p> <p>19 think, until it got to the mill and was started</p> <p>20 weighed and processed, and all that, and was</p> <p>21 established. I, I, I, I really don't know that's</p> <p>22 right.</p> <p>23 Q. I've seen one purchase agreement with</p> <p>24 contracts that have a clause that says something like,</p> <p>25 operator may not dispose of any uranium ore in</p>	<p>180</p> <p>1 time. But that was an independent.</p> <p>2 Q. You mentioned that in certain cases the</p> <p>3 Federal Bureau of Mines would inspect a mine site</p> <p>4 A. Uh-huh.</p> <p>5 Q. I can't recall if you told us where</p> <p>6 records of inspection might be located.</p> <p>7 A. I've been told they all, they all</p> <p>8 think they — I think — well, in Arizona, the USGS</p> <p>9 Conservation Division was abolished — well, with</p> <p>10 the, that was the royalty inspection record, because</p> <p>11 there was a group in the USGS that I talked to that</p> <p>12 came out of Roswell, and they acted as an agent for the</p> <p>13 BIA, Bureau of Indian Affairs, and they'd go to the mine</p> <p>14 and then look at the shipping record and make a</p> <p>15 report. The amount of uranium produced was not</p> <p>16 with the extent of the mine workings, oh, something like</p> <p>17 that. And that was all USGS Conservation Division. And</p> <p>18 when that was abolished, all those records went to the</p> <p>19 went to, in Arizona went to the BIM office in Phoenix.</p> <p>20 Now, where the federal records were before</p> <p>21 went, the mine inspectors that worked on observation</p> <p>22 were, were with the Department of Bureau of Mi-</p> <p>23 Interior Department out of Denver, I, I, I, I, I, I, I, I, I, I</p> <p>24 where those records went. They might have even gone to</p> <p>25 the Labor Department under who knows.</p>
<p>179</p> <p>1 material, except for shipment to the mill for</p> <p>2 processing —</p> <p>3 A. Oh, really.</p> <p>4 Q. — without prior AEC approval, you'd</p> <p>5 heard of that term or seen that term?</p> <p>6 A. No, I never saw any ore purchase agreement.</p> <p>7 I know they existed, especially with the Indian</p> <p>8 miners. I know Rare Metals probably had it, I think</p> <p>9 the, all that Cameron stuff, and all that I, I, I, I, I, I, I, I, I, I</p> <p>10 never seen one.</p> <p>11 Q. And did you have an understanding in</p> <p>12 in some of the milling contracts, AEC would say that</p> <p>13 the milling contractor would have to accept for</p> <p>14 certain mines?</p> <p>15 A. Uh-huh, I've been told that, I've been told that</p> <p>16 mines — well, that was under the allocation program. I</p> <p>17 think, when, when a company would have an allocation to</p> <p>18 sell the, to sell so much ore, they were required to</p> <p>19 to take it. Because allocations were related to the</p> <p>20 Q. Was that helpful to the, the company?</p> <p>21 investing in further mining and shipping to the mill?</p> <p>22 A. Uh-huh, yeah.</p> <p>23 Q. They wanted —</p> <p>24 A. If you had an allocation, they would take</p> <p>25 and they knew they had a market for ore in certain</p>	<p>181</p> <p>1 But I know the royalty inspectors</p> <p>2 did go to the BIM office in Phoenix, because some of them</p> <p>3 some of them. There is when they, when they'd</p> <p>4 say, well, last month the company shipped so and</p> <p>5 they looked at the mine maps, and said, oh, then</p> <p>6 ore came out of here and it looks okay. And kind</p> <p>7 of rubber stamping to assure the BIA nobody was not</p> <p>8 paying their share of the royalty.</p> <p>9 Q. I think I heard you mention that the</p> <p>10 AEC never gave instruction on where waste should</p> <p>11 go, the Federal Bureau of Mines may have?</p> <p>12 A. Oh, yeah, they might have.</p> <p>13 Q. And what kinds of issues would be</p> <p>14 to if they were to communicate with an operator?</p> <p>15 A. They'd — they were mostly fire —</p> <p>16 federal inspectors were real, would be fire, safety,</p> <p>17 health and safety, you know, about powder, powder</p> <p>18 was taken, and if the ventilation was proper, and if the</p> <p>19 rock support was proper, and all that. And they</p> <p>20 wanted to keep the mine site pretty clean, and that,</p> <p>21 so nobody would trip over rocks, and things they</p> <p>22 would tell, the mine inspector would, he'd say</p> <p>23 you've got to keep throwing the rocks over the fence and</p> <p>24 keep it all clean, or something, around the site, but</p> <p>25 I never saw in those reports, but I'm sure they do</p>

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<p>182</p> <p>1 that. Or they got to keep the railroad tracks so 2 the train would —</p> <p>3 Q. And you mentioned that —</p> <p>4 A. Now, the tribal mine inspector has 5 had more say-so on where the waste rock was, don't 6 something. I don't know.</p> <p>7 Q. I think you mentioned there was a policy 8 for the AEC lease blocks with regard to reclamation 9 that right?</p> <p>10 A. That's right.</p> <p>11 Q. Was it a written policy or a verbal policy?</p> <p>12 A. Well, it must have been written, because 13 after some of those mines closed, there was so 14 reclamation done. The early mining was good, but 15 is today on the lease block. But — because when 16 the first leasing program, and some of those mines 17 re-opened again. And I'm, I'm — I don't know 18 the — I know the reclamation was done, don't I know 19 if it was done by the former operator or if it was 20 I don't really know that much about the leasing program.</p> <p>21 Q. The last time we got together, you mentioned 22 that you were aware of instances where and how 23 mining, someone from Navajo Mining, perhaps the 24 Bureau of Mines, and maybe AEC, would make a site 25 A. Yeah. Yeah, I, I read a report time</p>	<p>184</p> <p>1 A. No. No, during the uranium lease was 2 really no, not though to reclamation. You know 3 go out and validate a claim like in a bull test, you 4 know, say that's a discovery pit. Those were not 5 filled in. There's still a bunch of those around 6 some of the lands that have never been reclaimed. 7 Q. Would the AEC policy, if you remember 8 addressed putting barbed wire around —</p> <p>9 A. No, they, from what I know, they like 10 uranium and never had any consideration of reclamation. 11 Just like on the milling that had to be done 12 later, you know, there was no thought, you know, AEC 13 contract with the mill of any reclamation of the 14 tailings after the mill closed. So through the uranium 15 boom, who ever heard of reclamation.</p> <p>16 Q. If there was a written policy on 17 reclamation for lease block lands, where would you find a 18 copy today, do you think?</p> <p>19 A. It would be in — down at the BLM, they 20 have records on every lease block they've had, and 21 I assume it would be there, but I don't know because I 22 never got involved that much in the leasing program. 23 But I know that the, the government — the AEC on 24 Cove Mesa, which they turned back to the tribe 25 was nothing about reclamation there, because it—</p>
<p>183</p> <p>1 that VCA was closing one of those mines that was 2 and there was a report and it had a company 3 representative, a USGS representative from the B 4 tribal mine inspector department checker, and 5 went out and talked about reclamation, and all 6 all signed off on it. I saw a report like that in the 7 records in Phoenix, the records at the BLM in Phoenix. 8 And so —</p> <p>9 Q. Do you recall roughly the year that 10 might have been written? Was it in the '50s or 11 A. Ch, probably in the '60s..</p> <p>12 Q. '60s. And —</p> <p>13 A. But they were — but all these days I 14 remember reading this report, was to put a wire 15 across the portal of the mine to keep out the 16 people. And I'm sure that barbed wire was put 17 week or two.</p> <p>18 Q. And even though the, as it relates to 19 lease block lands, the, if there was a written policy 20 would apply, do you have an understanding of what 21 policy, even though it didn't technically apply to 22 non-lease block lands, it might have been applied 23 people?</p> <p>24 A. No, I really didn't know.</p> <p>25 Q. Did it set like an industry standard</p>	<p>185</p> <p>1 it went right back to the Navajos and they kept 2 on it. And then the — and now the Navajos have 3 cleaned up all that on that lease block.</p> <p>4 Q. Do you have an understanding of how much 5 per ton of ore that AEC would pay a contractor 6 company was set? If it was \$8 a ton, for instance, that 7 went into that \$8?</p> <p>8 A. Well, that, that, that — every mill 9 it's own contract. And you look in the McGinley 10 McGinley Report, it will take each mill, and 11 that contract varied from \$13 had down to \$7 a 12 Because they, they negotiate with each mill 13 based on their technology and ore supply and gear 14 in — we had, the AEC had auditors and paid for 15 audit mills so they would get a fair price for 16 uranium and still make a little profit. They were 17 always negotiating the mill contracts, and stand 18 it, to get a better price for the government.</p> <p>19 And some, and some of the contracts, 20 like that one at Salt Lake City, I think it was 21 \$15 a pound. And the early at Uravan might have been 22 \$12 a pound. But eventually the one at Uvalde 23 to the \$8 range.</p> <p>24 Q. Are you aware that the AEC actually 25 let's see. The AEC, as I recall, the AEC paid the</p>

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<p>186</p> <p>1 mill at Monticello for a while.</p> <p>2 A. Yeah, that was test site. And and</p> <p>3 D mill, really.</p> <p>4 Q. And a mine at Slick Rock for a while</p> <p>5 you aware of that?</p> <p>6 A. No, they didn't have —</p> <p>7 Q. The AEC for a few months operated in</p> <p>8 Slick Rock.</p> <p>9 A. Huh-uh. We had a lease block there,</p> <p>10 but they never — they owned a mill, but they sold it to</p> <p>11 Union Carbide. The inherited a mill down at Slick Rock</p> <p>12 from the Manhattan Project that bought it then</p> <p>13 sold it to Union Carbide, and Union Carbide sold it</p> <p>14 down, or something. Anyway, that's all in the</p> <p>15 Albretsen McGinley Report.</p> <p>16 Q. We'll come back with some thats test</p> <p>17 But you mentioned AEC wanted to get a good pri</p> <p>18 A. Yeah, they wanted — yeah, make company</p> <p>19 make a fair profit, is what I've read in the is</p> <p>20 Q. So if the company proposed a higher price</p> <p>21 that was too high, AEC would come back with the price</p> <p>22 lower?</p> <p>23 A. Oh, they negotiated, I don't know if</p> <p>24 do it, but it —</p> <p>25 Q. Do you know whether —</p>	<p>188</p> <p>1 high quality copy because people are coughing a</p> <p>2 walking in front of the camera. And it's also too b</p> <p>3 because that's the best historic information have en</p> <p>4 the site down there.</p> <p>5 Q. Was he the only one video taped?</p> <p>6 A. Yeah. He came here for one of our</p> <p>7 celebrations of, of the site, maybe 25 years no,</p> <p>8 I don't know what it was. But — and his family here</p> <p>9 here, and he made a presentation. It was a fasci</p> <p>10 what he told about coming here and not knowing what</p> <p>11 was going to do and being handed an envelope that</p> <p>12 said get a hold of Brother Burwell of US Min ing</p> <p>13 tell you what to do.</p> <p>14 Q. Could we get a copy of the video you?</p> <p>15 Do you think that DOE's copy is better than you —</p> <p>16 A. No, it's all, it's all pretty bad in t</p> <p>17 think you have any objection if he borrowed it?</p> <p>18 Because other people have borrowed. And later he has</p> <p>19 have borrowed it.</p> <p>20 Q. If I was to go about writing up my of</p> <p>21 the San Mateo Mine, how would you recommend to</p> <p>22 that? What, what original source documents I went</p> <p>23 to go to try find?</p> <p>24 A. Well, I'd say, if I was going to it</p> <p>25 I'd — let's see if it was a certified property because</p>
<p>187</p> <p>1 A. But the, the AEC pay, was to pay 6</p> <p>2 ton for the first hundred miles. And so they w</p> <p>3 always in — the engineers were always going to</p> <p>4 measuring the most direct route to a mill to mine</p> <p>5 that looked like it was over a hundred miles.</p> <p>6 Q. And do you know whether AEC negotiated the</p> <p>7 wages? In other words —</p> <p>8 A. No.</p> <p>9 Q. You don't?</p> <p>10 A. I don't know.</p> <p>11 Q. Okay. I read somewhere that was it</p> <p>12 Lt. Col. Leahy?</p> <p>13 A. No, he was only a 2nd Lt.</p> <p>14 Q. Second, okay, 2nd Lt. When he gave</p> <p>15 presentation in 1993 —</p> <p>16 A. Uh-huh.</p> <p>17 Q. — he was video taped?</p> <p>18 A. Yeah.</p> <p>19 Q. You're aware he was video taped?</p> <p>20 A. Oh, yeah.</p> <p>21 Q. And do you know where I might find copy</p> <p>22 of that video tape?</p> <p>23 A. I have a copy that DOE, the DOE.</p> <p>24 The DOE library down there has a copy. Some of</p> <p>25 Western Colorado may even have a copy. off at very</p>	<p>189</p> <p>1 these certification ports are really the history.</p> <p>2 Other than that, I don't know, I don't know where</p> <p>3 would do it, because, because the certification port</p> <p>4 will have a paper trail of how El Paso claimed the</p> <p>5 property, how they discovered the ore body and land</p> <p>6 that.</p> <p>7 Q. Did —</p> <p>8 A. But you have to be certified it any</p> <p>9 be — it may have produced its ore after the</p> <p>10 certification. You gotta — you had to do make</p> <p>11 an ore shipment to even qualify it, and their first</p> <p>12 first ore shipment might have been too late to qualify.</p> <p>13 As you know, these certification reports are in the</p> <p>14 National Archives in Bloomfield, Colorado.</p> <p>15 Q. I think you mentioned Ingalls Gate of</p> <p>16 the mining engineers who worked —</p> <p>17 A. Yeah.</p> <p>18 Q. — the San Mateo?</p> <p>19 A. No, he was an AEC engineer in the of</p> <p>20 the Grants office. And he, he had good relationships with</p> <p>21 with all the companies in the Ambrosia Lake and he</p> <p>22 kept notes on what he learned from the company his</p> <p>23 calendar. And then when he retired from the go</p> <p>24 back to living, live his life, live out his life</p> <p>25 Butte, Montana, one of the main — somebody in</p>

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<p style="text-align: right;">190</p> <p>1 Grants office said, well, gee, we can't find his 2 calendar away, that's a lot of mining history. 3 So they gave his calendars to James 4 named Ray Holmquist, and he put together a book 5 each big mine in the Grants Mineral Belt region. 6 Mr. Gay's calendar. And somehow the industry has 7 about this report, and they filed for a — 8 And I was given the job of taking 9 Holmquist's report and deleting any confidential 10 information about cost data, or when he told 11 company says our company is full of, cheating, 12 anything that was not just down and out history. I 13 had to delete this out of the report. And it got 14 open filed. 15 And it's — was given a number released 16 to the public, I can't remember when, but RME 172, 17 and that's Raw Materials — that's an AEC number. 18 Raw Materials Exploration Report 172. And in the 19 libraries all around the country. Should be in the 20 National Archives. But I know I have and I've 21 loaned it to many people because they say, well, 22 can't find it within the USGS over in Denver. 23 Q. I think you answered last time that 24 once consulted on a small issue having to do with 25 National Forest somewhere, I can't remember where.</p>	<p style="text-align: right;">192</p> <p>1 sheets we looked at earlier this morning. 2 Q. Do you know if that data, computer 3 base still exists today in some form? 4 A. No it went, it went back to the 5 I've been told that when they converted the data to 6 what we call the shoe box collection, they destroyed all 7 that other, they destroyed all that computer stuff 8 they did save these big sheets we have. And then 9 and DOE has them. Because they developed this 10 system of coding, and every, every mine had a 11 every company had a code. Mines were coded by 12 county, as well as location. So if you wanted to 13 want to know all the mines, all the production 14 out of Coconino County, you could put that in 15 computer and print it out, but I don't think it 16 worked. Because I've never heard of anything like that, 17 but — they were trying to figure out, they say we 18 want to print out all the Kerr-McGee production 19 in the Kerr-McGee number, and it all came out. And I 20 don't know if it works or not, because there's 21 Q. Were you aware whether AEC assessed 22 liquidated damages to a mining company when they 23 off spec ore that was too low grade? 24 A. No, I don't think — the only liquidated 25 damages I've ever heard of in the AEC context was</p>
<p style="text-align: right;">191</p> <p>1 now, but to the extent San Mateo was on National Forest, 2 would the Forest have weighed in at all on reclamation 3 reclamation issues? 4 A. I don't know. I don't know I know, 5 the only information I even know about that San 6 report is in, is in the RME 172. There's again 7 there that's a summary of Mr. Gay's notes on San 8 Mateo; when the shaft was started, who the doctor 9 was, the problems they had, when the first ore 10 shipped, and something like that. It's just a 11 history of the mine. 12 Q. I noticed on the circular reclamation 13 forms, I think it was, there was mention of a form 14 or an IBM data base of some kind. Was that in 15 back at that time put in through IBM for punch 16 cards or — 17 A. Yeah, they punched them — our or 18 production records and the mill production records 19 all put on punch cards, and eventually that was 20 transcribed onto one computer system, and then 21 production was put on what we called the shoe 22 collection. 23 And these sheets that we looked at 24 exhibit, that was the first time the punch cards 25 ever put, were ever put in a computer. That's</p>	<p style="text-align: right;">193</p> <p>1 on the drilling contracts that said, you had to 2 to — if you didn't — if your contract said you 3 drill ten-day periods and you didn't show up, you 4 liquidate your damages for the day they show up, 5 and things like that. But that was only in 6 contracts. Because I know we had a big snow job 7 the drillers couldn't get back from town, they were 8 going to charge them liquidated damages, but still, 9 no, we couldn't get back because of the snow so 10 they didn't charge them or something. 11 Q. The last time we got together mentioned 12 a few instances of people who had received payments 13 as an incentive to come work for AEC? 14 A. Uh-huh. 15 Q. Can you remind me — 16 A. Not 4F. They, they were — well, not 17 4F, they, they were deferments because they were 18 because of working on security. National Security 19 what it was. When I was in graduate school, I got 20 out of graduate school, the AEC said, will you 21 work for us? We'll keep you out of the Korean War. 22 And then, then we, we had a chairman of the AEC, 23 Levi Strauss, or something like that, he said the 24 government should not stand between a man and his 25 to his country, and they didn't give those</p>

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<p>194</p> <p>1 And couple of my buddies got drafted.</p> <p>2 Q. So that was an important incentive</p> <p>3 A. Yeah.</p> <p>4 Q. — help develop —</p> <p>5 A. And to get people —</p> <p>6 Q. Can you explain to me, or remind me the</p> <p>7 importance of the security clearances, the L</p> <p>8 and the Q clearance? How was that important to</p> <p>9 domestic uranium program?</p> <p>10 A. Well, you had — to work for AEC, back</p> <p>11 then you had to have a Q clearance. So you had</p> <p>12 to fill out a form. The FBI would send agents</p> <p>13 around and investigate you and your neighborhood</p> <p>14 that. The L clearance is what I had when I worked</p> <p>15 Walker-Lybarger, and I don't know what it is now.</p> <p>16 But even, even the mill workers in the early days</p> <p>17 worked in the mill producing yellow cake, had a</p> <p>18 clearance of some kind. Because I've seen in the</p> <p>19 files that AEC would send to the milling companies</p> <p>20 have their employees fill this out to get a</p> <p>21 Q. Was that important to protect the</p> <p>22 information the —</p> <p>23 A. Yeah.</p> <p>24 Q. — AEC was sending to milling companies,</p> <p>25 or —</p>	<p>196</p> <p>1 Q. You made a comment when we got going</p> <p>2 last when you were describing the evolution of the</p> <p>3 ERDA that Congress, or somebody said then AEC had</p> <p>4 regulators and producers, or something like that.</p> <p>5 A. Something like that.</p> <p>6 Q. And they broke AEC into the Atomic Energy</p> <p>7 Nuclear Regulatory Commission.</p> <p>8 A. Uh-huh.</p> <p>9 Q. Can you explain to me what you mean</p> <p>10 can't be regulators and producers?</p> <p>11 A. Well, I don't know, that was just</p> <p>12 that was some of the logic we heard about why they</p> <p>13 doing this.</p> <p>14 Q. How are you using those two words</p> <p>15 "regulators" and "producers", what did that mean</p> <p>16 you said it?</p> <p>17 A. I, I don't know.</p> <p>18 Q. How was AEC being a regulator and</p> <p>19 producer?</p> <p>20 A. Because they were, they were running the</p> <p>21 mills, and all that, as well as, as producing the</p> <p>22 that went in the mills. And so they thought that</p> <p>23 agency really ought to oversee the people that</p> <p>24 that were producing it, or something.</p> <p>25 Q. Okay.</p>
<p>195</p> <p>1 A. Yeah, they would send it to the milling</p> <p>2 companies because they were producing yellow cake,</p> <p>3 know, the end product, and they didn't want any</p> <p>4 telling, well, we're, we're producing five or six</p> <p>5 yellow cake a day, or something like that.</p> <p>6 Q. What about, did AEC ever come out</p> <p>7 to the milling companies that was security?</p> <p>8 A. No, I know that the employees filled</p> <p>9 out questionnaires for some kind of clearance.</p> <p>10 Q. Okay. You mentioned the last time</p> <p>11 together that when the mills were finally closed,</p> <p>12 the AEC would sell ore piles in the ore storage</p> <p>13 to, to a mill on a competitive bid.</p> <p>14 A. Yeah, they asked them — they gave</p> <p>15 some specs, I guess, on what they had, and they</p> <p>16 in stockpiles, and they'd ask, well, who would</p> <p>17 it — who wants to buy this and what price.</p> <p>18 Q. Do you know whether AEC made any</p> <p>19 profit on that?</p> <p>20 A. Probably not. I mean, if they had</p> <p>21 a pound, I doubt — some of the strange looking</p> <p>22 got at the Globe ore buying station were made.</p> <p>23 Q. They were recovering their investment</p> <p>24 A. Yeah. They tried to recover the</p> <p>25 I can't tell you if they made any money.</p>	<p>197</p> <p>1 A. Somehow that was what was talked about</p> <p>2 what the news media came up with why they did it.</p> <p>3 CHRISTOPHER J. NEUMAN: We're going to</p> <p>4 take a break to change the tape.</p> <p>5 JOHN DENNIS DUNN: This time</p> <p>6 approximately 3:18. This is the end of the</p> <p>7 deposition of Mr. Chenoweth. We're going to</p> <p>8 record to change tapes.</p> <p>9 (A recess was taken from 3:18</p> <p>10 until 3:29 p.m.)</p> <p>11 JOHN DENNIS DUNN: This time</p> <p>12 approximately 3:29. This is the beginning of</p> <p>13 number 6 in the deposition of Mr. William Chenoweth.</p> <p>14 We're on the record.</p> <p>15 Q. Bill, I'd like to go through a few</p> <p>16 documents, and I've given you a binder.</p> <p>17 A. All right.</p> <p>18 Q. It starts at Exhibit 170. And I'd like to</p> <p>19 ask you to take a look and tell me if this one</p> <p>20 looks familiar to you?</p> <p>21 A. 176.</p> <p>22 Q. The ones at the bottom there.</p> <p>23 A. 176?</p> <p>24 Q. 170.</p> <p>25 A. Oh, I see, the beginning of the</p>

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<p style="text-align: right;">198</p> <p>1 Q. Yeah.</p> <p>2 A. It looks like an AEC report in the</p> <p>3 library. Yeah, that looks like a USGS monthly.</p> <p>4 Q. So —</p> <p>5 A. I've probably seen these, but I think</p> <p>6 I've read them. I know there's a whole library</p> <p>7 in the library at the, at the Colorado Mesa</p> <p>8 Q. And if you look at page, let's see</p> <p>9 A. 38. Okay.</p> <p>10 Q. Yeah, on the bottom right. at first,</p> <p>11 in accordance with the oral request of Lt. Col. we</p> <p>12 are initiating a series of monthly reports on</p> <p>13 the activities of the Geological Survey sent to</p> <p>14 the AEC.</p> <p>15 A. Uh-huh.</p> <p>16 Q. What was your understanding of,</p> <p>17 you say you've seen reports like this?</p> <p>18 A. Yeah, I remember, they used to be</p> <p>19 library down at the Grand Junction site and they</p> <p>20 bundled them all up and sent them up to the Co-</p> <p>21 at that time Mesa State College.</p> <p>22 Q. Were they monthly reports?</p> <p>23 A. Yeah, there's a monthly report from</p> <p>24 '47. And this Lt. Col. Page was not, to my knowledge,</p> <p>25 is not a — he was not here. I don't know if in</p>	<p style="text-align: right;">200</p> <p>1 list on these someplace. I don't see one.</p> <p>2 Q. Why would people in Washington want</p> <p>3 want these reports?</p> <p>4 A. Because they weren't really established</p> <p>5 here yet. The Division of Raw Materials hadn't</p> <p>6 even been formed yet, so they didn't just want</p> <p>7 program to drop, they wanted the USGS to continue</p> <p>8 some of their investigations on radioactive materials,</p> <p>9 is my guess. I, I really can't answer.</p> <p>10 Q. You mentioned these reports were monthly —</p> <p>11 A. Yeah.</p> <p>12 Q. — through 1956.</p> <p>13 A. Something like that.</p> <p>14 Q. And what would AEC in Washington with</p> <p>15 this information when they received it?</p> <p>16 A. I don't know, they probably looked at it and</p> <p>17 see what USGS was spending their money for.</p> <p>18 Q. Would —</p> <p>19 A. But this must have been a copy sent for</p> <p>20 the Grand Junction staff here, or it doesn't fit, but</p> <p>21 in January, 1947 they hadn't even established an office.</p> <p>22 I think they were still down town where the Manhattan</p> <p>23 Project office was. I don't know. Before then, here.</p> <p>24 Q. Do you know whether people like Lt. Col. A</p>
<p style="text-align: right;">199</p> <p>1 headquarters or not, but that name's not a famili-</p> <p>2 unless he's a holdover from the old Manhattan Project.</p> <p>3 But being in January of '47, that would be the</p> <p>4 month the AEC came in existence. I would suppose</p> <p>5 holdover from the Manhattan Engineer District.</p> <p>6 Q. And what was your understanding of</p> <p>7 purpose of these reports?</p> <p>8 A. Because the AEC was just getting going and</p> <p>9 the USGS had been out studying vanadium and other</p> <p>10 on the Colorado Plateau, and other places in the</p> <p>11 probably before the AEC really got organized, I asked</p> <p>12 the USGS to, to continue investigation, this was,</p> <p>13 the raw materials beryllium and other materials.</p> <p>14 Must be more interested in beryllium than uranium.</p> <p>15 I don't know.</p> <p>16 Q. Did the AEC continue these reports?</p> <p>17 A. Yeah, the USGS made monthly reports for</p> <p>18 think, until the contract was finalized in 1956,</p> <p>19 or something. And if there are any reports, I don't</p> <p>20 be — I see this was up — this was in the Mesa</p> <p>21 College library, so. There were all down at the</p> <p>22 and we transferred them up there.</p> <p>23 Q. Was the audience for these reports people</p> <p>24 in Washington DC?</p> <p>25 A. Ch, yeah, there should be a list of</p>	<p style="text-align: right;">201</p> <p>1 Washington were making decisions about the substance</p> <p>2 the report, like field investigations?</p> <p>3 A. Well, Jesse Jack — Jesse Jones was the</p> <p>4 head of the Division of Raw Materials, and that</p> <p>5 this office reported to him. And his assistant was</p> <p>6 Ninenger, who was an officer of the Manhattan Project</p> <p>7 that came to be Jesse's assistant. And he was in</p> <p>8 contact with Washington. And he used to take me</p> <p>9 we'd take him on field trip around, and all that</p> <p>10 so did, so did Jesse, but — I think this was</p> <p>11 just in — January 47 had to be in the beginning of the</p> <p>12 AEC and, and there wasn't anything going on yet</p> <p>13 then. I mean, there were people, but I know it</p> <p>14 Q. How — when AEC would decide to do a</p> <p>15 rim strip or, you know, do some geological investigation,</p> <p>16 how would that decision be made? Was it made in</p> <p>17 Grand Junction, or in DC?</p> <p>18 A. Probably by a local here, but it had to be</p> <p>19 approved — because the Union Mines, the Manhattan</p> <p>20 Project's civilian contractor had made arrangements</p> <p>21 to drill all over the Colorado Plateau and the AEC</p> <p>22 people said no, that's beyond our scope. So</p> <p>23 all this exploration information the Union Mines</p> <p>24 developed was turned over to the AEC. And that</p> <p>25 project I worked on on Cove Mesa was, was started</p>

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<p>202</p> <p>1 the Union Mines' people, but. So somebody's going 2 again, probably was in Washington, was looking 3 kind of information and let the USGS awarding 4 contractors. I really don't know.</p> <p>5 Q. Okay. Let's look at the exhibit, 6 A. Another report from Mesa College. 7 Q. This one is only two pages. 8 A. This is February '47. Yeah, there 9 Oh, ho, ho. No, this is declassified by Jenson 10 in '59. So this was all kept — Col. John — 11 Q. Would this report be distributed to people 12 who were either mining or milling? 13 A. No, no, it — I'm sure — I don't think of 14 here, but it was — it must have been classifi 15 because here's, here's the declassification right 16 here.</p> <p>17 Q. But to the extent mining or milli 18 companies — 19 A. No, nobody would see it. 20 Q. If they had a security they would have 21 gotten it? 22 A. No, I'm sure that in these days it 23 was probably still marked secret. Yeah, it's like 24 somebody has pasted over on this, on page 80463 25 like somebody has pasted over a stamp, I hate</p>	<p>204</p> <p>1 Q. Do you have any idea why these reports 2 might have been declassified in 1959? 3 A. Probably at headquarters, obviously 4 because they weren't declassified out here in '59, 5 think we were even set up to declassify. Well, 1959, 6 yeah, we had, we would have here. I would imagine 7 somebody back in DC made a decision, well, other 8 nothing really secret in these. There's no uranium 9 uranium tonnage, or anything like that, or uranium 10 production, so.</p> <p>11 Q. Okay. Let's look at 174. 12 A. Oh, here we're getting detail. We're 13 talking about geologic studies on the Colorado Plateau. 14 Exploration on the Colorado Plateau in July of '47. And 15 by then the AEC out here might have been established. 16 I came back, he retired from the Army, and he came back to 17 be the first manager, and he was getting things 18 organized, I think, by July.</p> <p>19 Q. That was why I put these in work. 20 Does it surprise you, this is before your time, are 21 you familiar with this history, that they were 22 moving this quickly to go from a two-page report 23 A. Yeah, I forget, when he came back — 24 he retired from the Army and came back and forgot the 25 exact date that he appeared back here, and I don't</p>
<p>203</p> <p>1 said secret under that stamp there. Under that 2 label looks like it's been pasted over.</p> <p>3 Q. What do you think was secret, have 4 been secret about it? 5 A. Well, here, everything in the Manhattan 6 project was secret, and it was a transition to 7 civilian agency, and they probably hadn't thought about 8 saying what the public could see.</p> <p>9 Q. Let's look at — 10 A. That's just a guess. 11 Q. Let's look at 172. Does this look like 12 another monthly report? 13 A. Another one of these from, a report from 14 '47. Declassified in '59. 15 Q. And even at this early stage, referring 16 the report, it looks like AEC through USGS doing 17 field work in — 18 A. Yeah, the — yeah, it says, "over 19 here it looks like they're, they're studying 20 sands of Emery County and the phosphates in the 21 future." 22 Q. All right. 23 A. Yeah. 24 Q. Let's look at 173. 25 A. 173. Oh, yeah, another one.</p>	<p>205</p> <p>1 really organizing and hiring people. And the first 2 of these Manhattan district people and they were 3 for the AEC right away, so. But here in July of '47 it 4 looks like they're really getting going. And they are 5 really getting going with an exploration program for the 6 AEC. It says make a reconnaissance. 7 Q. Can you look at page 8064? 8 A. 64? 9 Q. 64, yeah. 10 A. Oh, yeah. 11 Q. And in the first paragraph there it 12 that problems relating to exploration are being 13 discussed between Washington staff and, I think, here 14 local USGS staff. Was that a common occurrence? 15 A. I'm sure it was, yeah, it's going 16 going because the A — yeah. 17 Q. And then the next paragraph — 18 A. Definite plans. 19 Q. Right. Definite plans for the determination 20 determination of ownership of lands where it would 21 be desirable, and determinations of policy with respect 22 to entry — 23 A. I'm sure the AEC says let's sign and 24 continue this exploration and find some uranium 25 something.</p>

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<p>206</p> <p>1 Q. So how — let's focus on that discussion 2 the Navajo Nation. Did AEC have some kind of 3 license or right to come on and do these things? 4 A. I think some of those papers were written 5 earlier, those old papers, there is some indication 6 between Window Rock and Grand Junction, but that 7 as early as '47. They're more in the — about 8 first, the first drilling the AEC did on that site 9 was done by the USGS in about 1951. And that's 10 they asked Window Rock to withdraw 71 square miles 11 the northwestern Carrizo area for the USGS to 12 And that was prior to the AEC having any staff 13 there to do anything.</p> <p>14 Q. What's your understanding of the 15 "withdraw" means in that context?</p> <p>16 A. Well, this paper, this — I've got a 17 of this original order that US — that the AEC was 18 a press release that USGS, the USGS put out that 19 were going to drill down on the reservation and 20 withdrawn by the Tribal Council. I mean, nobody 21 get a lease or a mining permit in this area means 22 that nobody could go in there and stake a claim. 23 other words, because there's a drill rig in the 24 Q. When you later came on the site, the 25 Carrizos or other areas where you were drilling</p>	<p>208</p> <p>1 a discussion of a vanadium program, and I don't 2 it right, that — 3 A. On page 88? 4 Q. Right. 5 A. Third paragraph. 6 Q. During the early part of the war — 7 A. Uh-huh. 8 Q. It seems to say that when the incentive 9 removed the incentives from vanadium, the vanadium 10 mining all ceased. 11 A. In 1944. That was the Metals Reserve 12 Program where they needed — had a premium on 13 vanadium the government bought for the military 14 because they needed vanadium to harden steel for war 15 effort. Then when they got a big stockpile, it 16 was six million pounds, like it says, then it was 17 discontinued. And boy the production — activity on 18 the Colorado Plateau went to almost zero in 1947. 19 Q. So without the government incentive 20 program — 21 A. Without any incentive for vanadium 22 Q. — the industry continued survey? 23 A. Uh-huh. Like it says here, Yeah 24 that's — the fifth would have to pass, that was 25 Uravan.</p>
<p>207</p> <p>1 projects, did you have to go to the Navajo Nation 2 seek some additional permission?</p> <p>3 A. I think they had a blanket permission 4 some of the stuff that we looked at earlier, of 5 these — a lot of these sheets I picked up 6 over the, my career at Window Rock, there's a sign 7 about granting the AEC permission to do geological 8 reconnaissance. They could do drill roads but 9 couldn't build air strips and things like that. 10 this is in the very beginning, this is when the AEC 11 in its infancy and it just didn't — the USGS was 12 continuing on the work, the exploration.</p> <p>13 Q. All right. Let's look at 176, you're 14 familiar with this document?</p> <p>15 A. Oh, no, this was a — this was written 16 up in DC, I don't think — I've never seen it. 17 probably have a copy of that, used to have a file 18 that out here, because they had a notebook of all 19 press releases, and that all went with the Navajo 20 Archives, I know. This is, this is, apparently, a 21 address by Mr. Johnson about the AEC production 22 we're just starting up.</p> <p>23 Q. And I have a question on page 88. 24 A. 88. 25 Q. Yeah. In that third full paragraph</p>	<p>209</p> <p>1 Q. And how about, I've got a question on 2 92, now. And the last paragraph. There's some 3 discussion of the — 4 A. Oh, process of mills. 5 Q. Yeah. Importance of setting price 6 incentivize small — 7 A. Boy, this is really a major address 8 to the public, really, trying to get people out 9 trying to announce what he was going to do, in 10 opinion.</p> <p>11 Q. And the, this particular putting the 12 price and incentives was important to getting the 13 small operators involved in the program? 14 A. Yeah, uh-huh. Oh, yeah, this is 15 interesting. Yeah. Where did you find this? 16 Q. What do you think is interesting about 17 you were reading? 18 A. Oh, yeah. Yeah. 19 Q. Just the history is interesting? 20 A. Yeah, the history is interesting to hear 21 about all this stuff about what they were doing 22 Q. All right. Let's look at 176. 23 A. 176. I don't know if I've got — 24 that's — if this letter is in that pile of letters I 25 collected over the years or not, but it is.</p>

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<p>1 things like this before.</p> <p>2 Q. What does this appear to be?</p> <p>3 A. Giving the AEC permission to perform</p> <p>4 geological investigations and explorations and the</p> <p>5 discovery of uranium ores on, on any part of the</p> <p>6 Indian Reservation for addition — it's a separate</p> <p>7 permit. Uh-huh. Yeah. Yeah, I've seen things</p> <p>8 this for — maybe, I maybe didn't see this one</p> <p>9 past, but I'm familiar with it.</p> <p>10 Q. Let's look at 177, briefly.</p> <p>11 A. I think — yeah, I think this is</p> <p>12 something I've collected in the past. These are</p> <p>13 all familiar, Harper, Fister, Mr. Tso, they</p> <p>14 Tso. Yeah, I've seen this.</p> <p>15 Q. On page 96, at the end of that full</p> <p>16 paragraph there's mention, consider amending the</p> <p>17 license, or certain land that might be covered</p> <p>18 permit. I take it you don't have much of an</p> <p>19 understanding of the particular details of the</p> <p>20 authorization?</p> <p>21 A. No.</p> <p>22 Q. Okay. All right. Let's try 178.</p> <p>23 A. These are reports I've seen a lot of</p> <p>24 This is February of '53, and it's a monthly report of</p> <p>25 what the USGS was doing for the AEC out there</p>	<p>210</p> <p>1 A. June of '53. Yeah.</p> <p>2 Q. And again on page 141 there's a section</p> <p>3 the Colorado Plateau listing the number of holes</p> <p>4 drilled?</p> <p>5 A. Yeah. 141. And this is the same again</p> <p>6 of all the different, all the different areas</p> <p>7 was studying. And if you look down on the map</p> <p>8 B, that is the area they, they had the title</p> <p>9 from mineral entries so they could do going down</p> <p>10 here in the northwest Carrizos.</p> <p>11 Q. Okay.</p> <p>12 A. And that's the Rattlesnake Mine</p> <p>13 Martin, those two little circles. And the little</p> <p>14 is the Ourida Mine.</p> <p>15 Q. So by 1953 here, there's quite a bit of</p> <p>16 activity. This report's —</p> <p>17 A. Yeah.</p> <p>18 Q. — got a lot more detail than the</p> <p>19 ones?</p> <p>20 A. Oh, yeah, every year from the report</p> <p>21 increased more and more. The AEC spent more on</p> <p>22 drilling and exploration, and all that. And the</p> <p>23 industry was starting to pick up. The boom, in</p> <p>24 opinion, the boom really, out on the Colorado</p> <p>25 really didn't start until — through a broken</p>
<p>211</p> <p>1 Colorado Plateau.</p> <p>2 Q. Okay, if you look on page 103.</p> <p>3 A. Uh-huh.</p> <p>4 Q. The section on the Colorado Plateau</p> <p>5 written by Mr. Stager?</p> <p>6 A. Stager, yeah.</p> <p>7 Q. Did you know him?</p> <p>8 A. No.</p> <p>9 Q. And there's mention in the —</p> <p>10 A. The drilling footage, how many they</p> <p>11 drilled, and all that. This is the drilling at</p> <p>12 Uravan. Because that's where they — but the USGS</p> <p>13 had been studying the vanadium deposits in Uravan</p> <p>14 for years. That was the logical place for the</p> <p>15 and look for more deposits containing uranium.</p> <p>16 Q. So these reports just summarize the</p> <p>17 activities of AEC?</p> <p>18 A. Yeah, that they were doing on a</p> <p>19 that one month. And, yeah, they put out reports</p> <p>20 every month. And there used to be a whole office</p> <p>21 down at the compound. And does it have a — see</p> <p>22 these have an RME number on it here, that's the</p> <p>23 library number.</p> <p>24 Q. Okay, I think I just have one which</p> <p>25 is 179. This is that monthly report from '53.</p>	<p>213</p> <p>1 petroleum geologist named Charley Steen made a</p> <p>2 luck, lucky discovery on in Lisbon Valley here's a</p> <p>3 million — here's a guy that became a millionaire</p> <p>4 overnight, and that brought hundreds of people</p> <p>5 to prospect. It wasn't all the AEC bonuses that</p> <p>6 in my opinion, it was Charley Steen that did more</p> <p>7 create a uranium boom than the AEC did. Just my</p> <p>8 opinion.</p> <p>9 Q. Let's take a look at number 180?</p> <p>10 A. 1 what?</p> <p>11 Q. 180, the exhibit. Yeah, 180, you</p> <p>12 A. Another one, RME. Yeah.</p> <p>13 Q. Are you familiar with this report?</p> <p>14 A. Oh, yeah. In fact, I may even have</p> <p>15 of that. I don't know if I do or not. I submitted</p> <p>16 the airborne survey of the Cameron. They drilled</p> <p>17 and found a lot of anomalies.</p> <p>18 Q. Can I ask, you mentioned a gentleman</p> <p>19 gentleman who made a discovery and brought it to</p> <p>20 attention to the uranium program, Mr. Steen?</p> <p>21 A. Charley Steen.</p> <p>22 Q. Charley Steen. Was he one of the</p> <p>23 hired by the AEC?</p> <p>24 A. No, no, he was a white guy who was a</p> <p>25 petroleum prospector — he was a petroleum geologist</p>

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<p>214</p> <p>1 he was down and out and broke and he decided not 2 in Lisbon Valley. No, he had nothing to do with 3 But, the fact the newspaper caught up with him, 4 here's a down and out guy, down to his last — 5 borrowed money from his relatives to drill he just 6 lucked into a major discovery in Lisbon Valley 7 became a millionaire over, particularly over and 8 that — if he can do it I can do it, so that's 9 brought all the people out here.</p> <p>10 Q. Now, did he make that money at the 11 ore buying station?</p> <p>12 A. No, he built his mill over in Montezuma 13 did sell some ore to the government ore station 14 in Moab before his mill was done.</p> <p>15 Q. All right. Let's look at 181.</p> <p>16 A. Ch, yeah, this is, this is a 17 report.</p> <p>18 Q. Okay. And I can —</p> <p>19 A. Who wrote it?</p> <p>20 Q. I can —</p> <p>21 A. Gil Ritter wrote it, okay.</p> <p>22 Q. I can represent to you that this 23 came from Broomfield where the practice is —</p> <p>24 A. Yeah, yeah, they got — I think 25 about 1,250 property certified for bonus pay.</p>	<p>216</p> <p>1 always wanted them to make comment, you know, is 2 going to produce some more? Is this just a little 3 pod of ore they found, or something, and —</p> <p>4 Q. In here they're discussing these 5 talked about?</p> <p>6 A. Yeah.</p> <p>7 Q. And that last paragraph — yeah, s 8 A. Pick and shovel.</p> <p>9 Q. Yeah, the second paragraph that the i 10 sections says remnants of thirteen fossiliferous 11 And the last paragraph, as you say, suggests a 12 simple pick and shovel job —</p> <p>13 A. Yeah.</p> <p>14 Q. — directly into trucks. So that 15 look if you were observing in the field was it 16 simple pick and shovel job?</p> <p>17 A. Yeah.</p> <p>18 Q. What activities would you see?</p> <p>19 A. You'd, you'd see a Navajo with a 20 wheelbarrow and a pick and he's picking it out 21 picking up rocks out of this little cliff face 22 early discoveries weren't, weren't — they were 23 topography. Like Huskon 1 in on a hill that 24 was never a pit, or anything, it was really a 25 huge rim stripping area. And I got a picture.</p>
<p>215</p> <p>1 means that they collected \$35,000 on the 161,000 2 pounds. That meant three fifty a pound. That 3 doubling the price of, the basic price, the price 4 guaranteed by 6.5. And so it was another incentive 5 people to go out and find new discoveries because this 6 couldn't be old discoveries, it's got to be new 7 discoveries.</p> <p>8 Q. And this is —</p> <p>9 A. It was very successful.</p> <p>10 Q. This is a photograph copy of a 11 but I'm going ask, does it look like a true 12 and complete report to you? Does this look like 13 A. Ch, yeah, this is, this is a 14 certification report for the —</p> <p>15 Q. Okay.</p> <p>16 A. No, this is, this is an examining 17 engineer's report to his boss. And then Lynn Bar 18 Metals or Arrowhead — who made it — Arrowhead 19 this request, would get a letter saying you're 20 certified, and so forth and so on. So this is the 21 examining engineer's report. By Gil Ritter.</p> <p>22 Q. So if you look on page 202.</p> <p>23 A. Uh-huh</p> <p>24 Q. In the section Production Possibilities 25 A. Yeah. And they always made it —</p>	<p>217</p> <p>1 in some of that stuff of mine that you copied, 2 Navajo and a pick and shovel and a dog where he 3 wheeling the pick — the wheelbarrow full of ore to 4 dump it in the ore pile. So these were just re 5 small operations to begin with. But when Metals 6 took over, they became very big, big operations</p> <p>7 Q. Now, when it — when there are times 8 and picks and shovels are being used to dig thi 9 directly in trucks, can you — it is that they 10 could identify a log or part of a tree and then 11 just pick it up and throw it in a wheelbarrow</p> <p>12 A. Yeah.</p> <p>13 Q. — and into a truck?</p> <p>14 A. Or break it up. These logs that 15 petrified, they were pretty kind of rotten because 16 of all the carbon in them, the carbonates that 17 precipitated the uranium. In the early days, 18 before I got there, they said it was, Arrowhead 19 very meager operation compared to what you did 20 later.</p> <p>21 Q. Now, would these activities result in the 22 generation of any waste rock?</p> <p>23 A. Ch, yeah. Yeah, when — they're own 24 eyeballs, probably didn't even have Geiger tubes 25 just used their eyeball to look for a yellow And</p>

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<p style="text-align: right;">218</p> <p>1 they'd dig that out, and so there might have been 2 some real low grade stuff that wasn't too high 3 they'd throw away, so. There would be waste 4 around where they're digging with a pickaxe. 5 Q. Okay. Let's look at 182. Are you 6 familiar with this document? 7 A. Yeah, Mr. Winston was, was there for 8 for many years. He hired me for the AEC in 195 9 Q. If you look in that first paragraph 10 is a sentence that reads — I'd like you to 11 It reads, we who are close to the day-to-day 12 that arise in coordinating the various element 13 finding, mining and processing that together 14 production should frequently give thought to the 15 complete picture in an objective manner. This 16 perspective should enable us to be guided by 17 of the complete picture as we strive to fit 18 together. What is he speaking to here? 19 A. I don't know. He means they're trying to 20 coordinate the industry to get, get the, get 21 uranium out of the ground and into yellow cake. 22 Q. Okay. 23 A. And he goes on to — what's at the end of 24 yeah. 25 Q. Yeah, all right. Page 204.</p>	<p style="text-align: right;">220</p> <p>1 A. Uh-huh. 2 Q. And if I understand the discussion, it 3 has to do with minimum qualifications of lease 4 applicants. 5 A. Uh-huh. 6 Q. And that they have some mining experience. 7 Do you have any familiarity with this context? 8 A. No. 9 Q. — that people who sought leases were 10 A. Well, that would have been in the 11 process, you know, because they had — the leases 12 done by the whole Mining Division down there at 13 site, and they set their own criteria then. 14 Q. Who would have set it? 15 A. The Mining Division, AEC Mining Division. 16 Q. Okay. And — 17 A. Well, maybe this came from O'Neil's, 18 but. 19 Q. And why would they have set requirements 20 for mining experience? 21 ROBERT N. FOSTER: Foundation. 22 A. They were mining uranium ore back then. I 23 don't know, but they probably want 21 years of 24 mining experience because there were a lot of 25 days there were a lot of young kids mining.</p>
<p style="text-align: right;">219</p> <p>1 A. Uh-huh. 2 Q. If you look at the fifth paragraph 3 the next sphere of activity. See how there is 4 here of AEC operating property in the Slick Roc 5 district? 6 A. Ch, 202, huh? 7 Q. No, 204. 8 A. Ch, 2004. Okay. I'm on — third 9 paragraph, one, two three. 10 Q. Yeah. It's the next sphere of activity. 11 A. Uh-huh. Boy, I did not know that. 12 this says AEC operated a property in the Slick 13 district for seven months in an effort to determine 14 actual mining costs. 15 Q. If this occurred, it sounds like 16 part of an effort to — 17 A. Yeah, mining costs — okay. 18 Q. — to determine competitive prices. 19 A. Yeah. Right. 20 Q. Okay. 21 A. I don't know anything about that. 22 Q. I have questions now on page 206 in 23 the last paragraph of the 206. 24 A. Last paragraph of 206? 25 Q. Yeah.</p>	<p style="text-align: right;">221</p> <p>1 blown up because they didn't know how to handle it 2 and things like that. That might have been a 3 provision to have three years mining experience or 4 years general mining. They just wanted experienced 5 people on the lease blocks so it would be safe. 6 Q. On page 207, the next page. 7 A. Uh-huh. 8 Q. In that second paragraph, it's a little 9 hard to read, so I'll — 10 A. Yeah. 11 Q. — read it out loud. When a person has 12 been selected to mine a particular ore body he 13 invited to visit our offices and the details of 14 problem are discussed. If this particular person 15 elects to sign the lease he is given custody of the 16 information we have on the deposit such as 17 logs, geologic favorability maps, et cetera. Are you 18 familiar with that process? 19 A. Ch, yeah. 20 Q. So people would come to the office — 21 A. Yeah, because this, a lot of times they 22 area and they'll have a, they had a packet, file 23 folder on each, on each lease with all the 24 drill logs, and all that, for the people to read 25 to get a good idea what it, what was there.</p>

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<p>222</p> <p>1 Q. And this would help them in the decision 2 A. Whether to do it or not. Whether a 3 good economic venture or not. They declined with 4 best qualified applicant will be offered to be. 5 Q. And would the applicants for that have 6 to pay for this information? 7 A. No. No. Huh-uh. What's the fee for this, 8 anyway? 9 Q. September 23, 1953. 10 A. Ch, '53, that would be in the leasing 11 program, yeah. 12 Q. Okay, let's look at page 183, sorry 13 Exhibit 183. 14 A. Ch, yeah, Mr. Crew and Mr. Hurle 15 Q. This is — Mr. Crew, I think mentioned 16 is still, still with us. 17 A. Yeah, he celebrated his 94th birthday about 18 a week ago. 19 Q. Are you familiar with this report 20 A. Yeah, I've seen it. 21 Q. I have a quick question for page 22 213. There's discussion of the purposes of 23 commission drilling. There are three purposes. One, to 24 uranium of ore-grade. Two, to find reserves of 25 proposed mills. And, three, to develop reserves</p>	<p>224</p> <p>1 rapid or extensive to solve the question of whether 2 would undertake exploration. At no time larger 3 part of Commission drilling been directed toward 4 So if I understand this right, to, to speed up 5 development of reserves and building of mills, 6 Commission was doing drilling? 7 A. Yeah, they would apparently then 8 and, and do closer space drilling and more closer 9 space drilling more than wide space exploration 10 to try to develop reserves. 11 Q. All right, let's move on to A-184, you 12 familiar with this document? Does this sound 13 Does this report look familiar? 14 A. I — not — I'm really not familiar 15 with it. I know who Mr. Meek was. He was in Grand 16 Junction very briefly, and then he went to Grand 17 But this was written in '53, yeah. I don't think I've 18 ever looked at this that closely. 19 Q. From the cover page and TM, it doesn't 20 look like a report authored by the AEC? 21 A. Yeah. TM means technical memorandum. 22 These were sort of all internal reports that eventually 23 got released to the public. 24 Q. And so my question is: On page 213, is 25 is discussion of three phases of drilling;</p>
<p>223</p> <p>1 areas where private companies would not normally 2 the attempt. And that's the one that I'm mentioning. 3 What do you understand about that purpose of the 4 commission drilling? 5 A. This would be in some of the wildcat 6 drilling they would have done where industry would 7 their own evaluation not thought much of and where 8 did do drilling in some of these kinds of areas 9 was, where it was really wildcatting, and where 10 where they make, so they — they were hoping to 11 areas, find uranium in, in new areas that were 12 industry to that, because industry was not before 13 because they didn't think it was that favorable 14 Q. So it was sort of to prime the pump, so to 15 speak? 16 A. Yeah, right. And that was what a lot of 17 lot of the drilling we did, we never really found 18 except we learned about the areas that it was 19 favorable. 20 Q. Another question, in the paragraph 21 starts another purpose is to find reserves. 22 A. Uh-huh. 23 Q. The last sentence there, the last 24 sentences say — well, let me just read them. 25 the other hand, private exploration is not as</p>	<p>225</p> <p>1 investigative, exploration and development. I think I 2 heard you talk quite a bit about investigative 3 exploration drilling. What is your understanding of the 4 role of development drilling in the AEC program? 5 A. You mean page 3 here? 6 Q. Yes. 7 A. It's really, like he says, drilling in 8 closer space. Like if, if we're out here and we 9 doing some drilling on hundred-foot centers, or 10 hundred and fifty-foot centers, 200-foot centers, one 11 of those holes hit a good grade, penetrated a 12 thickness and grade of uranium, we'd come in and drill 13 on maybe 50-foot centers or rabbit to try to develop 14 some reserves. And I think, I think — uranium 15 development drilling barely — the spacing of drill 16 holes rather than anything else. The drilling is 17 to hundred-foot centers. 18 Q. Am I right, this sounds like a place 19 where a smaller mining company, as is described, 20 isn't sure about the value of the expense of the 21 additional drilling or mining, and as a result to 22 encourage — 23 A. Yeah. 24 Q. — further mining, AEC drill some 25 holes?</p>

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<p>226</p> <p>1 A. Yeah, that's right. They'd discuss it all the time and uh-huh.</p> <p>2 Q. And so then AEC would give them the information —</p> <p>3 A. Ch, sure.</p> <p>4 Q. — to the operator?</p> <p>5 A. Uh-huh.</p> <p>6 Q. And they wouldn't charge for it?</p> <p>7 A. No, no, no, no. The pressure was on the uranium ore to mills as fast as it could.</p> <p>8 Q. Okay. Let's look at 185.</p> <p>9 A. Another one of Mr. Wimpfen's speeches —</p> <p>10 Q. And I have a question on page 239</p> <p>11 A. 39. Okay.</p> <p>12 Q. And I'd like for you to read the sentence in that paragraph that reads, as I have before, the Commission program is one of control text that is required by the Atomic Energy Act, but and that it, one of guidance, encouragement and assistance to private capital which is performing the greater part of the task. Do you have an understanding of what is required by the Atomic Energy Act?</p> <p>13 A. No. That would be licensing, and that and security, and all that kind of stuff I But don't —</p>	<p>228</p> <p>1 to mine cost, and how you did get to build and and all kinds of things. They had a, they had the public relations, a couple public relations people with the most of the original talking. And when it got to technical, they'd talk to one, some of the mini engineers, or geologists, about how do your find it.</p> <p>2 Q. And so when they mention here the entrants into the field can save dollars and catches by observing current practices. Are those things being described here things that are suggested, or in practice at these —</p> <p>3 A. Ch, I think they were — some of these people had never — just came out here to make of money, and, because they heard about Charles S but — and they had no idea what it was going to do this, or what it cost, or you just can learn it without some training, and all that. And they described geology, trees, logs and rolling about how ore occurs, and showing pictures of area. little government booklet the government put they had all these colored pictures of different of ores, and everything. And the people had no idea what uranium looked like.</p> <p>4 Q. Did the people with the AEC in Grand Junction spend a lot of time holding hands and</p>
<p>227</p> <p>1 Q. Okay.</p> <p>2 A. I really don't know much about the Atomic Energy Act.</p> <p>3 Q. Let's look at 186.</p> <p>4 A. Ch Phil Simmons, yeah.</p> <p>5 Q. Did you know Phil Simmons?</p> <p>6 A. Yeah, he's a mining engineer with in the Mining Division here. Ch, it says Mining Division. See, I was in the Exploration Division, and then we stopped exploration, the Mining Division and the Exploration Division were merged into Production Evaluation Division. And that's what we did a exploration stopped, was evaluate what was going on in the industry.</p> <p>7 Q. Okay. Let's — I have a question on page 244. And let's see, the third, foot in the paragraphs, if you can read those for me, they are of short.</p> <p>8 A. All right.</p> <p>9 Q. They appear to discuss visits when through a minute ago where an applicant would do meet in Grand Junction with AEC to learn about —</p> <p>10 A. Yeah.</p> <p>11 Q. — a particular prospect?</p> <p>12 A. Costs, and all that. Cost of mining —</p>	<p>229</p> <p>1 teaching —</p> <p>2 A. They had a group that did this like I said, I think they had a couple public relations people, and then they would rely on, on some of staff to assist them, you know, if somebody rea wanted to — and they kept track of how many in a month they had. I think during the boom the year a bunch came to the office to talk about uranium —</p> <p>3 Q. Let's look at Exhibit 187.</p> <p>4 A. Well, who's this? Cook. Never heard of Mr. Cook. It wasn't in that meeting that was a Uranium Ore Producers Association. That was industry political group.</p> <p>5 Q. I think the only the question is this is about page 249. And there is some question of the value of completed facilities and costs before Atomic Energy Program to date. Does it say that they're in the billions of dollars in 195 —</p> <p>6 A. No, I know they kept track of that dollar being invested in the mills.</p> <p>7 Q. So the value of a completed facility in place, as of June 30, 1953 is about 4 billion dollars.</p> <p>8 A. Billion, yeah.</p> <p>9 Q. That seems like a big number for —</p>

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<p>230</p> <p>1 A. I don't know. I don't know how they 2 acquired that, but I know they used to publish 3 like this all the time.</p> <p>4 Q. And then the next line says they had 5 the physical year '57 that number would allocate to 6 8.5 billion dollars.</p> <p>7 A. Almost going to double.</p> <p>8 Q. So this, I guess, does this show that 9 incentive program was working?</p> <p>10 A. Yeah, that's what apparently they're trying to 11 show.</p> <p>12 Q. All right. Let's look at 188.</p> <p>13 A. Ch, Mr. Long, yeah.</p> <p>14 Q. Does this look familiar, this one?</p> <p>15 A. Uh-huh. Who wrote this? George 16 Uh-huh.</p> <p>17 Q. So you probably haven't seen this one? 18 A. Yeah.</p> <p>19 Q. The question I have for you is a 20 Huskon 5 and these trees that were mined, don't 21 know if you're going to have anything more to 22 the second page here, 258, that first paragraph 23 discussion that Huskon 5 production was from 24 scattered near-surface logs. And Huskon 5 was 25 combination of logs and —</p>	<p>232</p> <p>1 possibly mill sites in the Tuba City area.</p> <p>2 A. Uh-huh.</p> <p>3 Q. Do you have any understanding of the 4 AEC played in selecting an ultimate mill site?</p> <p>5 A. No. Probably needed water, needed 6 water for — they knew a mill would need water and 7 that was always a consideration on mill sites.</p> <p>8 Q. Okay. Let's move on to 190.</p> <p>9 A. Well, there's a Navajo Mining claim 10 the RAMCO properties, I'll bet. Yeah, RAMCO 2 11 Q. Okay. My question — 12 A. Because the RAMCOS used the same for 13 all the other mines used the Navajo permit, saw 14 Webster here, well, I knew that had to be a RA 15 Q. My question is on page 263. 16 A. 263. All right. Stuck together. 17 263.</p> <p>18 Q. And paragraph 1b. So if I understand this 19 right, this is the assignee, the person in the 20 lease or the permit.</p> <p>21 A. This is, this is who they assign 22 mining permit to.</p> <p>23 Q. Right. Is agreeing to commencing 24 operations and produce and sell ore from property 25 within six months from the date of approval of</p>
<p>231</p> <p>1 A. And thins.</p> <p>2 Q. — thin lenses. And I was trying 3 earlier, was this a case of just picking out what 4 were lying on the surface, or what would this be 5 A. Yeah, it sounds like it was on 5.</p> <p>6 Q. And I had ask you would it involve 7 generation of waste rock, you thought perhaps? 8 A. No, it probably was some waste rock 9 left behind, because they were looking for the 10 grade logs.</p> <p>11 Q. So what they were trying to pick 12 pieces up?</p> <p>13 A. Pick these up and — uh-huh.</p> <p>14 Q. Do you recall whether they had been 15 dumping anything on the ground as part of this 16 it all picking up?</p> <p>17 A. Probably — if it didn't look like 18 yellow, they were probably left on the ground in 19 place.</p> <p>20 Q. Let's look at 189.</p> <p>21 A. Ch, Shirley.</p> <p>22 Q. I don't imagine you're familiar with this. 23 A. No, I'm — no I've never — is this 24 is an internal memo.</p> <p>25 Q. And the discussion here is about</p>	<p>233</p> <p>1 assignment. And then if you look at the page of 2 264, it looks like it's saying the assignment is 3 void if the person receiving the assignment of 4 permit fails to meet this requirement that they 5 and sell within six month. Are you familiar with 6 this —</p> <p>7 A. No.</p> <p>8 Q. — provision at all? Was there 9 a rule or encouragement from AEC or BIA to get 10 and running and be production within six month 11 A. Well, they didn't want, they didn't 12 people just to get a mining permit and just do 13 it and, and maybe promote it, or something like 14 They — no, AEC had nothing to do with this. Well, 15 probably BIA put this in the mining permits.</p> <p>16 CHRISTOPHER J. NEUMAN: Let's 17 take a break to change the tape, and then go 18 rush through a few more documents.</p> <p>19 JOHN DENNIS DUNN: This time 20 approximately 4:24, and this is the end of tape 6 21 in the deposition of William Chenoweth. Going off 22 the record to change tapes.</p> <p>23 (A recess was taken from 4:2 24 Until 4:28 p.m.)</p> <p>25 JOHN DENNIS DUNN: We're on</p>

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<p>234</p> <p>1 report. This is the beginning of tape number 12 2 deposition of Mr. William Chenoweth. That time 3 approximately 3:28. Yeah, excuse me, we just u 4 4:28. Excuse me. Thank you.</p> <p>5 Q. Bill, I appreciate your standing in 6 the home stretch.</p> <p>7 A. Oh, good.</p> <p>8 Q. I'd like you to look at Exhibit 19</p> <p>9 A. 191. Okay. Ch, Mr. Wimpfen.</p> <p>10 Q. Are you familiar with this document</p> <p>11 A. No.</p> <p>12 Q. — or that —</p> <p>13 A. No, this was all done in the Mini 14 Division about leasing programs.</p> <p>15 Q. Okay. You're generally aware that 16 Mining Regulations came out here at some point</p> <p>17 A. Yeah.</p> <p>18 Q. — in 1955, it looks like this is 19 this.</p> <p>20 A. Yeah.</p> <p>21 Q. And I just have a question on page 22 A. Uh-huh.</p> <p>23 Q. Can you look at that first paragraph 24 Work Requirements, and the last sentence reads, a 25 maximum time to start production, and a minimum</p>	<p>236</p> <p>1 were reports done like this on every new discovery 2 over the United States, especially when this was 3 going to — when the company was deciding they 4 going to build a mill. Or had reserves to build 5 a mill.</p> <p>6 Q. And I think you mentioned, but I think 7 of the incentive program —</p> <p>8 A. Yeah.</p> <p>9 Q. — that AEC would not have charged</p> <p>10 A. Ch, no, this was done by the AEC to 11 get more mills built and more uranium in — no 12 concentrate in.</p> <p>13 Q. All right. Let's look at Exhibit</p> <p>14 A. 193. Uh-huh. Ho, ho, ho, yeah.</p> <p>15 Q. This is familiar?</p> <p>16 A. Yeah, this is out of the one is out 17 of the big manual we had about how to code stu 18 Everything, everything had to be coded and the 19 put in the computer so you could sort things and 20 are, these are the codes on this — these are very 21 codes. And there's a whole, big book of these 22 big book about that thick of codes for minerals 23 for state and county, codes for ore delivery. Any 24 way.</p> <p>25 Q. Well, so the —</p>
<p>235</p> <p>1 quarterly rate of production shall be specified. I 2 recall that became a requirement over time?</p> <p>3 A. No, I have no idea, because this is 4 the leasing group down there took care of all t</p> <p>5 Q. Let's look at Exhibit 192.</p> <p>6 A. Ch, Mr. Crabtree. Uh-huh.</p> <p>7 Q. Does this look familiar?</p> <p>8 A. Nope. This had to do with the plant, 9 National Lead, I assume it was with the plant, p 10 National Lead was a contractor down there at the 11 pilot plant as well as the — ch, this is little 12 plant, because they're talking about Cameron o 13 Because that was a brand new area. The Cameron 14 was different than any one that had ever been 15 and I'm sure they sent a big sample up here to AEC 16 do research on what kind of a mill would be 17 best built to process the Cameron ores. And I'll 18 analytical work that National Lead did on the 19 ore, it looks like.</p> <p>20 Q. Is it your understanding that this type 21 information as part of the incentive program was 22 shared with the mill contractor?</p> <p>23 A. Ch, you bet, that was — yeah, that's 24 the one up here. Ch, there is Arrowhead, and 25 anyway, I'm sure, because they — yeah, there</p>	<p>237</p> <p>1 A. This is one page out of — this is 2 C, page 4, IBM codes.</p> <p>3 Q. So the first four codes are mining 4 activities?</p> <p>5 A. Yeah.</p> <p>6 Q. Including drilling, prospecting —</p> <p>7 A. Yeah.</p> <p>8 Q. — airborne and then rim stripping</p> <p>9 A. Because they were trying to keep in 10 the early days how these discoveries were made</p> <p>11 Q. Have you ever seen a report that 12 summarizes, you know, for instance, what was 13 kept on government rim stripping?</p> <p>14 A. No, I've never seen — I know they 15 used to put an annual, a yearly report that any new 16 discoveries had a code bar like this. But I don't 17 know where they are now.</p> <p>18 Q. So this data base, does it exist?</p> <p>19 A. Yeah, this was, this was in the data 20 bases they developed. But not any of the data I 21 ever saw. That I, I kept. It was more annual 22 basis where they do an annual, a book of things, 23 and then they'd flag new mines, and they'd flag 24 code by it.</p> <p>25 Q. But this is an AEC data base, one</p>

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<p style="text-align: right;">238</p> <p>1 this?</p> <p>2 A. Yeah, AEC. It would be an annual</p> <p>3 document on what happened in a calendar — final</p> <p>4 year. And new discoveries would have this system,</p> <p>5 as I remember seeing.</p> <p>6 Q. How did you remember seeing it in</p> <p>7 some kind of annual report?</p> <p>8 A. Well, we, we — it was probably pa</p> <p>9 around to show people or to edit it, or something.</p> <p>10 Q. An annual report?</p> <p>11 A. Yeah, it's an annual, internal an</p> <p>12 report.</p> <p>13 Q. Do you think that annual report was</p> <p>14 over at Mesa State?</p> <p>15 A. No, huh-uh.</p> <p>16 Q. Still at Grand Junction, if it's ex</p> <p>17 A. No, I think it probably got shredded</p> <p>18 got — I don't know where they are.</p> <p>19 Q. All right, let's look at 194.</p> <p>20 A. Ch, that — this is a typical</p> <p>21 Q. Okay.</p> <p>22 A. This is —</p> <p>23 Q. A BIA assignment of a —</p> <p>24 A. No, this is — probably developed</p> <p>25 BIA, but this is the document showing that it is</p>	<p style="text-align: right;">240</p> <p>1 mine, it's just north of, north of, north of the</p> <p>2 over the little Colorado River there on this side of</p> <p>3 the highway. It's just is a small pit.</p> <p>4 Q. So what he could be saying here is</p> <p>5 smaller pieces the more you could fit into a truck</p> <p>6 A. Yeah, that was probably it, uh-huh</p> <p>7 Q. Okay.</p> <p>8 A. No, I —</p> <p>9 Q. And this type of activity, this is, a</p> <p>10 grizzly to crush —</p> <p>11 A. No, I never saw a grizzly being used</p> <p>12 mine.</p> <p>13 Q. There was one at the mill, standing</p> <p>14 A. Ch, yeah, sure, the mill. And in</p> <p>15 mines, the mines, in the big underground mines</p> <p>16 have a grizzly there and, and rocks would go down</p> <p>17 the ore pass, the rocks had to be a small size of a</p> <p>18 rock got stuck in the grizzly, a miner would go</p> <p>19 with a sledge hammer and break it up and pull the</p> <p>20 grizzly in the underground mines. But I heard of</p> <p>21 a grizzly being used on an open pit mine like</p> <p>22 Q. And this type of activity, this is</p> <p>23 crusher —</p> <p>24 A. Yeah.</p> <p>25 Q. — falls within the definition of a</p>
<p style="text-align: right;">239</p> <p>1 assigning mining rights to our company. Since</p> <p>2 this would be Arrowhead. No wait. I can't</p> <p>3 No, I thought it as Morehouse's signature, it is</p> <p>4 Q. This looks like for FAMCO 23.</p> <p>5 A. Yeah, right, FAMCO 23.</p> <p>6 Q. Okay. Let's look at 195.</p> <p>7 A. Okay, that's a recurring visit to these</p> <p>8 certified properties had to be visited about every</p> <p>9 month to see what was going on, and the amount</p> <p>10 amount of ore produced they claimed a bonus on</p> <p>11 commensurate with mine, how big the mine was, if</p> <p>12 there was any fraud. And this is — and then</p> <p>13 many of these reports. This is Huskon 12 May</p> <p>14 Hansen visited this — I don't see the date, yeah</p> <p>15 '57, and he reported what he saw.</p> <p>16 Q. The question I have is, if you look at</p> <p>17 middle there's a sentence that reads, and four-i</p> <p>18 grizzly and been constructed from lumber milled</p> <p>19 steel for bars to either upgrade the ore by using the</p> <p>20 large pieces of waste, or to size the ore by using</p> <p>21 Did you ever seen anything like that?</p> <p>22 A. No. There is in — huh-uh.</p> <p>23 Q. That wasn't a common activity at the</p> <p>24 site?</p> <p>25 A. No, huh-uh. Yeah, Huskon 12, by the</p>	<p style="text-align: right;">241</p> <p>1 about earlier —</p> <p>2 A. Yeah.</p> <p>3 Q. — of processing, right?</p> <p>4 A. He must have been, he must have used</p> <p>5 a sledge hammer. Does it say? It doesn't say</p> <p>6 was hitting the rocks with.</p> <p>7 Q. Well, okay. Let's move on to 196.</p> <p>8 A. Ha, ha. Yeah, this is, this is what</p> <p>9 wrote on Huskon 6 —</p> <p>10 Q. 8.</p> <p>11 A. 8, is that 8? Okay, Huskon 8.</p> <p>12 Q. It's a recurring visit report?</p> <p>13 A. Yeah.</p> <p>14 Q. Okay. And the question I have is whether</p> <p>15 you remember the details of the pick and shovel</p> <p>16 A. Well, they probably, they probably</p> <p>17 is — Domino Mining Company was just a small</p> <p>18 company, very unfunded, and they probably they</p> <p>19 had dug up some, what they thought was ore, and</p> <p>20 their eyeballs they were sorting out the ore from</p> <p>21 the ore so it could be an economic shipment as a</p> <p>22 very labor-intensive operation. Low cost,</p> <p>23 labor-intensive.</p> <p>24 Q. Okay. Let's look at 197.</p> <p>25 A. A pick and — ch, and a fossil, yeah.</p>

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<p style="text-align: right;">242</p> <p>1 Q. All right, Exhibit 197.</p> <p>2 A. Ch, ho, ho. Uh-huh. Lucius Pitkin, was a brand new, brand new ore buying station, later period of times when I was running the mill, and apparently Mr. Gains was the manager of the Pitkin, local manager of the Lucius Pitkin, and apparently he has — they went up there and into the sampling facilities that — from the El Paso had taken over the ore buying station, and they were surveying what was going on there.</p> <p>11 Q. This looks like an official letter report by the —</p> <p>13 A. Yeah, by contract, by the AEC for the AEC.</p> <p>15 Q. And could you take a look at the second paragraph.</p> <p>17 A. Mr. Marsing.</p> <p>18 Q. Right. So this reads, in the report Mr. Marsing —</p> <p>20 A. Mr. Tame, he was a, he was a Pitkin employee.</p> <p>22 Q. — demonstrated, Mr. Tame told me the proper method of coning and ringing a sample a suggested the sample should be coned and ringed twice before rejecting opposite quarters.</p>	<p style="text-align: right;">244</p> <p>1 In our previous report we stated that Mr. Tame demonstrated the proper method for coning and ringing a sample and that method is now being followed at the City plant?</p> <p>5 A. I have no idea about coning and ringing.</p> <p>6 Q. It's kind of —</p> <p>7 A. It's something about preparing the sample for an assay, I think.</p> <p>8 Q. But the, I guess the bigger question is, it sounds like you're saying if AEC has a better way to do something, to share?</p> <p>12 A. Yeah, they always share.</p> <p>13 Q. Okay. And it was common for these suggestions to be —</p> <p>15 A. Because, because the mill had an contract, that was probably in the mill contract they could expect — visit the mill periodically something like that.</p> <p>19 Q. So these visits were about once a month?</p> <p>21 A. Well, apparently that. But I thought they said they visited the mill about a month.</p> <p>23 Q. Okay. And it was — so you say it common for Lucius Pitkin or AEC to —</p>
<p style="text-align: right;">243</p> <p>1 immediately gave orders to the sample bucket to use this method on all future samples.</p> <p>3 A. I have no idea what they're talking about. Marsing, no doubt, was an El Paso employee.</p> <p>5 Q. Right. Was it, was it common in your experience, to have Lucius Pitkin, or AEC, give suggestions like this?</p> <p>8 A. Ch, yeah. In fact, the Ore Section Division, or whatever it was called then, they had monthly inspection in the mills just to see what the contractors were doing. And I know Kerr-McGee, the AE — went to DOE and tried to find out where they didn't exist any more, apparently they wanted a, they wanted a — because of a deal, they wanted to see these old mine — mill sites, reports at the Shiprock Mill, and they didn't, I know.</p> <p>18 Q. All right. So this was from June 1963, let's look at Exhibit 198.</p> <p>20 A. This is another report here, right?</p> <p>21 Q. From Lucius Pitkin the AEC contract. It's dated September 12, 1963. And so it goes about the second page, page 303. And this four paragraph down. The sample bucket followed the method for coning and ringing the original sample.</p>	<p style="text-align: right;">245</p> <p>1 A. No, mostly — I know what I'm talking about. is the AEC metallurgist, they had a group of people named Frank McGinley that maybe had four or five metallurgists, and they visited all the mills in the western United States and Texas about once a month.</p> <p>6 Q. Okay. To give suggestions like that?</p> <p>7 A. Yeah, to give suggestions, or like that, or just say, well —</p> <p>9 Q. Let's look at 199. Does this look familiar?</p> <p>11 A. Yes, I have — I think I still have a copy of this. I think. This was something that went out to the public to tell them what you were doing there. Ch, yeah, uh-huh. Page 16.</p> <p>15 Q. So I think my question —</p> <p>16 A. Ch, yeah, year, here's —</p> <p>17 Q. — on page 310 there's a description of the Resource Investigation Division, and the Mining Division.</p> <p>20 A. 310.</p> <p>21 Q. Does this sound familiar?</p> <p>22 A. Ch, yeah. Yeah. I was in the Appraisal Branch, for a while, and then in the Geological Studies Branch for a while.</p> <p>24 Q. All right.</p>

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<p style="text-align: right;">246</p> <p>1 A. I see here on 313 it tells about L 2 Pitkin working with a milling company. 3 Q. And then on, also on 313 there's af 4 key personnel, are these — I guess these people 5 you would have worked with? 6 A. Ch, yeah. Yeah I worked with flav flav flav 7 there in the Resource Investigation Division. 8 Q. And there's a little organization on 9 page 314? 10 A. Ch, yeah. 11 Q. It's kind of hard to read, guess as 12 of 1968 this is what Grand Junction looked lik 13 A. Uh-huh. 14 Q. All right. Let's go on to 315. 15 A. Ch, ho, where is this from? 16 Q. Well, that's my question for you. 17 A. Ch, Mark Ferguson. He was assist 18 director of the National Archive when they at the 19 Federal Center in Denver. Ch, I see. Hey, I'm 20 my advice on retention value of some records I, I 21 told him, as a, I can only give you an opinion 22 former employee, you ought to, you ought to 23 somebody in the — that's still with the agenc 24 This was written in '96. Oh, that 25 too long ago. And I don't know what these</p>	<p style="text-align: right;">248</p> <p>1 collection of Manhattan Project. Page 318. 2 A. Okay. Ch, yeah. 3 Q. What the photos, the 300 photos the 4 talking about? 5 A. The 300 photos are photos of anithes 6 open — and AEC field camps, and all that it It, 7 really has nothing to do — it says AEC photoes. 8 had them in the file done there, and they going to 9 send them to the National Archives, and they want 10 them unless they had captions. And I think the 11 contractor was then Bendix, or somebody, and back 12 to write captions for all these photos that were 13 the National Archives. 14 Q. Where would we find them in the past? 15 A. In Broomfield. 16 Q. Broomfield, okay. 17 A. There's a record group, AEC photo 18 historic mine photos, or something and, and I don't 19 there. 20 Q. Are they the little slides? 21 A. There are slides, there are black 22 and whites, there are colored black and re-ate 23 colored photos. There's all variations, so that one 24 time the AEC hired a professional photographer 25 around and take pictures of open pits and</p>
<p style="text-align: right;">247</p> <p>1 were. 2 I don't know, what's all this mark 3 This must — I don't know whose handwriting it 4 isn't mine, but it talks about the AEC data to the 5 USGS. The drill data going to USGS. 6 Q. All right. 7 A. And Warren Finch of the USGS allows 8 about this stuff, it says, but he's retired. S 9 really don't know the results of, of this inquiry. 10 I probably told him to go to talk to some one 11 But — and, and all this handwritten stuff, oh 12 I don't know who did that. 13 Q. All right. Here's where I found it 14 video on the bottom of 318. Public affairs, video 15 1993, 50th. 16 A. Where do you see that. 17 Q. The last thing written on page 31 18 A. Ch, yeah. Public affairs. r Europe 19 here says of Al, Bill and McGinly, history of Grand 20 Junction office. That's a document. 21 Q. What about below that, the distinction 22 of Manhattan Project, mine maps and report, 301 AEC 23 photos? 24 A. Where is this at? 25 Q. This the second to the last page</p>	<p style="text-align: right;">249</p> <p>1 and all this. And they're in there. Wilf Will 2 Dare's photos he gave us, they're, they're also 3 there. It's a big collection. And a — but th 4 Manhattan Project, mine maps and reports were a 5 given — one administrator down there got jealous, 6 he says, ch, let's just keep them here in Grand 7 let's give them to the museum. And so they gave to 8 the Museum of Western Colorado, and then the Na 9 Archives says those are federal documents, right to 10 give them to us first. It was a big hassle, let b 11 stayed in the museum down here. As long as th 12 guaranteed to certain archival procedures, somebody 13 must have been talking to me on the phone about 14 this down. 15 Q. Yeah. 16 A. I don't know who it was. 17 Q. I think this was in Broomfield in 18 files. 19 A. Ch, my goodness. 20 Q. Okay. Let's look at 201. 21 A. I really don't know — unless Mark 22 was talking to me on the phone and he was giving 23 this down. 201. 24 Q. 201, it's the Organizational file the 25 AEC in November 18, 1960.</p>

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<p>250</p> <p>1 A. Yeah. This, this goes clear to the 2 Commission in DC. And I'm trying to see where 3 Here we are. Division of Raw Materials in Grand 4 Junction Operations Office, Allan Jones, manage 5 Q. AEC was a pretty big organization in 1960. 6 A. Ch, yeah. 7 Q. Do you have any sense how many people it 8 might have been then? 9 A. Huh-uh. 10 Q. Hundreds, though? 11 A. Ch, I'm sure, because I imagine in 1960 12 the Grand Junction office here had at least 20 13 Q. So I recall seeing Mr. Holtz's 14 at the top center box under the Commission. 15 A. Yeah. 16 Q. Deputy General Manager, did you think? 17 A. No. The only person up here I know 18 would be Jesse — that would be down here, — Jesse 19 Q. Johnson. 20 A. — Johnson, because he did a lot of 21 bit. 22 Q. So he was based in Washington DC? 23 A. Yeah, he was, he was in the Division of 24 Materials, right over here on the left-hand side 25 here.</p>	<p>252</p> <p>1 Materials must of — the Licensing and Regulatory 2 Division, I think that's where they got this 3 over here. 4 Q. And then once the yellow cake came 5 Junction, what division did it go to next? 6 A. Well, it went to — 7 Q. I suppose in the middle there was a 8 of Military Application? 9 A. We also interacted with the Office 10 Technical Information when we used to — used to 11 publish some of our documents. And — well, I 12 know, like this, like Weldon Springs and all that 13 out stuff went, our yellow cake went, I know which 14 division it's under. It might have been under 15 production. I don't know. 16 Q. Okay. And did, did you have any 17 understanding of whether — what role these 18 people — 19 A. No. 20 Q. — in Washington DC were playing? 21 A. No. They had all the other divisions, you 22 know, and we were just the Raw Materials Division 23 didn't know about — 24 Q. Okay. Last one, 202. 25 A. Ho, ho, ho.</p>
<p>251</p> <p>1 Q. And then below, below that next to the 2 Grand Junction Operations? 3 A. Yeah. 4 Q. Allan Jones? 5 A. Uh-huh. 6 Q. Was Allan in Washington, or was he 7 A. No, he was here. He was there for 8 many years here. 9 Q. So the Jesse Johnson, that I believe, 10 were all those people in Washington DC? 11 A. Uh-huh. I imagine, I, I, I don't 12 know. 13 Q. So on the far left there's a division of 14 Production. Were you familiar with what that 15 was? 16 A. No, that would be the big plants at 17 Oak Ridge, Hanford and Savannah River. 18 Q. What's your understanding of what they did 19 at those plants? 20 A. Ch, they, they were — they were the 21 I think. I don't know what they did. Okay, well 22 course, did a lot. 23 Q. Did you interact with any of other 24 divisions? 25 A. No. I didn't. I'm sure, I'm sure</p>	<p>253</p> <p>1 Q. I don't know if you will be familiar with 2 this, but I thought I would give it a shot. 3 A. I've, I've seen some of this before. 4 see. 5 Q. This looks like an org chart for the 6 Manhattan Project. 7 A. Uh-huh. What year is this? 8 Q. It appears to be 1946. 9 A. The Colorado area office ought to be 10 here someplace. Milwaukee. Ch, here we have 11 Square office, yeah. Colorado area engineering 12 Leahy was a major. So this had to be about '4 13 Because he got promoted just, just before he left 14 out of here, he was telling me. 15 Q. So Madison Square was the coordinating 16 identifying resources? 17 A. Yeah. Well, I never heard of other 18 area offices, but, but — by I know Leahy had 19 somebody in Omaha, he said, and I don't know 20 Madison — I don't know any of — really, I don't 21 this, but it was a huge organization when you 22 chart like this. 23 Q. Do you have a sense when Manhattan 24 transitioned to AEC, was there any continuity 25 structure, or was it all redone?</p>

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<p>1 A. It was all redone, yeah, like when— 2 they first, when they closed the Colorado 3 office, I think they sent him to Oak Ridge. When 4 they formed the office down here, he came back the 5 manager of the Colorado Raw Materials Office, and 6 you used to see a lot of the early correspondence 7 know, Bill Leahy, manager of CRMO. 8 CHRISTOPHER J. NEUMAN: That's 9 all I have for today. Why don't we take a break 10 can talk about some of this. 11 JOHN DENNIS DUNN: The time 12 approximately 5 o'clock, and we're off the record 13 (A recess was taken from 5:00 14 p.m. until 5:04 p.m.) 15 JOHN DENNIS DUNN: The time 16 approximately 5:04. This is the end of today's 17 the deposition of Mr. William Chenoweth and going 18 off the record to change tapes. 19 20 21 22 23 24 25</p>	254	<p>1 REPORTER'S CERTIFICATE 256 2 3 I, Keith Rusk, do hereby certify that 4 previous to the commencement of the examination of the 5 said WILLIAM CHENOWETH, he was duly sworn to 6 testify to the truth in relation to the matters 7 controversy between the said parties so far as should 8 be interrogated concerning the same; that the 9 deposition was taken in shorthand by me at the 10 place aforesaid and was reduced to type written 11 under my supervision; that the foregoing is a 12 transcript of the questions asked, the testimony 13 and the proceeding had. 14 My commission expires 3/3/17. 15 16 17 18 19 20 21 22 23 24 25</p>	255
<p>1 SIGNATURE OF WITNESS 2 3 STATE OF _____) 4 COUNTY OF _____) 5 6 I, WILLIAM CHENOWETH, being duly 7 sworn, do hereby certify that I have read the 8 deposition, and it is a true and correct 9 testimony, except as follows: 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	255	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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